

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CALLAWAY GOLF COMPANY,

Plaintiff,

v.

ACUSHNET COMPANY,

Defendant.

C. A. No. 06-91 (SLR)

PROPOSED PRETRIAL ORDER

Thomas L. Halkowski (#4099)
Fish & Richardson P.C.
919 N. Market Street, Suite 1100
P.O. Box 1114
Wilmington, DE 19899-1114
Tel: (302) 652-5070
Fax: (302) 652-0607

Frank E. Scherkenbach
225 Franklin Street
Boston, MA 02110-2804
Tel: (617) 542-5070
Fax: (617) 542-8906

David J. Miclean
500 Arguello Street, Suite 500
Redwood City, CA 94063
Tel: (650) 839-5070
Fax: (650) 839-5071

Roger A. Denning
12390 El Camino Real
San Diego, CA 92130
Tel: (858) 678-5070
Fax: (858) 678-5099

Attorneys for Plaintiffs
CALLAWAY GOLF COMPANY

Richard L. Horwitz
David E. Moore
Potter Anderson & Corroon LLP
Hercules Plaza
1313 North Market Street, 6th Floor
P.O. Box 951
Wilmington, DE 19899

Joseph P. Lavelle
Kenneth W. Donnelly
Brian A. Rosenthal
Howrey LLP
1299 Pennsylvania Avenue, N.W.
Washington, DC 20004

Attorneys for Defendants
ACUSHNET COMPANY

Dated: November 13, 2007

On November 20, 2007, at 4:30 p.m., counsel for Callaway Golf Company (“Callaway Golf”) and counsel for Acushnet Company (“Acushnet”) shall appear before the Court for a pretrial conference held pursuant to Federal Rule of Civil Procedure 16, Rule 16.3 of this Court, and this Court’s June 21, 2006, Scheduling Order.

This order shall control the subsequent course of the action unless modified by the Court to prevent manifest injustice. The following matters as to the trial commencing on December 3, 2007, are hereby ordered by the court:

I. STATEMENT OF THE NATURE OF THE ACTION AND THE PLEADINGS IN WHICH THE ISSUES ARE RAISED

On February 9, 2006, Callaway Golf filed this action against Acushnet for patent infringement and breach of contract. By this action, Callaway Golf seeks monetary damages and injunctive relief. Acushnet, in turn, denies infringement, denies breach of contract, asserts that the patents-in-suit are invalid, asserts that the patents-in-suit are unenforceable, asserts various other defenses, and seeks an order dismissing Callaway Golf’s action on the basis that Callaway Golf is entitled to no relief on its claims.

A. Pleadings

1. Callaway Golf’s Amended Complaint – D.I. 67

Callaway Golf’s Amended Complaint contains five counts:

- I. Willful infringement of United States Patent No. 6,210,293
- II. Willful infringement of United States Patent No. 6,503,156
- III. Willful infringement of United States Patent No. 6,506,130
- IV. Willful infringement of United States Patent No. 6,595,873
- V. Breach of Contract

2. **Acushnet's Answer to Callaway Golf's Amended Complaint–
D.I. 60**

Acushnet denied infringement of the four patents, denied the breach of contract count, and raised nine defenses:

First Defense: The Amended Complaint fails to state a claim on which relief can be granted.

Second Defense: Acushnet does not infringe, has not infringed, and does not and has not induced or contributed to infringement of any valid claim of the '293, '156, '130, or '873 patents.

Third Defense: Each claim of the patents-in-suit is invalid for failure to comply with one or more provisions of the Patent Act (35 U.S.C. §§ 101 *et seq.*).

Fourth Defense: The patents-in-suit are unenforceable because of material misrepresentations made to the PTO. Acushnet will not present this defense.

Fifth Defense: Callaway Golf is not entitled to any relief in this action because it has come to this Court with unclean hands. Acushnet will not present this defense.

Sixth Defense: Callaway Golf's claims are barred by at least one of the equitable doctrines of waiver and/or laches.

Seventh Defense: Callaway Golf should be barred from pursuing its claims under the equitable doctrine of estoppel until the substantial new questions of patentability raised in the four requests for reexamination filed by Acushnet have been resolved by the PTO.

Eighth Defense: Callaway Golf lacks standing to sue on its breach of contract claim (Count V) as it is not a party to the 1996 Settlement Agreement between Acushnet and Spalding. The parties agree that this is a legal matter already before the Court as part of the summary judgment submissions.

Ninth Defense: To the extent any portion of the 1996 Settlement Agreement between Acushnet and Spalding are held to preclude Acushnet from seeking

reexamination of the patents-in-suit, those portions of the 1996 Settlement Agreement are unenforceable and void. The parties agree that this is a legal matter already before the Court as part of the summary judgment submissions.

II. STATUTORY BASIS FOR JURISDICTION

This action arises under the patent laws of the United States, 35 U.S.C. §§ 271 *et seq.* The Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1400(b).

Plaintiff claims that this Court has jurisdiction over Callaway Golf's breach of contract claim pursuant to 28 U.S.C. § 1367. Plaintiff further contends that the breach of contract claim arises from the breach of a settlement agreement in a case previously litigated before this Court, and that the Court has retained jurisdiction to enforce that settlement agreement based on its jurisdiction over the underlying case.

III. PARTIES' PRETRIAL SUBMISSIONS

A. The Parties' Joint Statement of Admitted Facts

The parties' joint statement of admitted facts is attached as Exhibit 1 to this Order.

B. The Parties' Statements of Issues of Facts Remaining to be Litigated

The parties' joint statement of issues of fact that remain to be litigated is attached as Exhibit 2 to this Order.

C. The Parties' Statements of the Issues of Law Remaining to be Litigated

1. Callaway Golf's statement of issues of law that remain to be litigated is attached as Exhibit 3 to this Order.
2. Acushnet's statement of issues of law that remain to be litigated is attached as Exhibit 4 to this Order.

D. The Parties' Pre-Marked Trial Exhibits

1. Callaway's List of Trial Exhibits and Acushnet's objections thereto are attached as Exhibit 5 to this Order. This list does not include Callaway's demonstrative exhibits.

2. Acushnet's List of Trial Exhibits and Callaway's objections thereto are attached as Exhibit 6 to this Order. This list does not include Acushnet's demonstrative exhibits.
3. The parties will offer as exhibits at trial one or more of the exhibits set forth in their respective exhibit lists. These lists include the exhibit number to be used as trial and a description sufficient to identify the exhibit, *e.g.* by production number, deposition number, or otherwise. Subject to applicable objections, any party may use any document on any party's exhibit list. The parties agree, however, that any description of a document on an exhibit list is provided for convenience only and shall not be used as an admission or otherwise as evidence regarding that document. The parties also agree that, in accordance with the reserved objections set forth in Section III.I.2.B, listing a document on a party's exhibit list is not an admission that the document is admissible as evidence.
4. The parties shall exchange final drafts of **demonstrative exhibits** (subject only to addressing evidentiary objections or rulings) they intend to use at trial by **9:00 a.m.** the day before a given demonstrative is first used. The parties' objections to the demonstrative exhibits, if any, shall be exchanged no later than **6:30 p.m.** the evening before they are used. The notice provisions of this paragraph shall not apply to demonstrative exhibits created in the courtroom during testimony or opening or closing statements at trial or the enlargement, highlighting, ballooning, excerpction, etc. of trial exhibits or of testimony.
5. The parties shall meet and confer to resolve any objections to demonstratives. Any objection that cannot be resolved shall be raised with the Court before the demonstrative is used in Court.
6. Unless otherwise agreed during trial, each party will provide the other party a list of exhibits, by exhibit number and intended witness, that it intends to use on direct examination by **7:00 p.m.** the day before the exhibits are intended to be used in court. If the party decides, after **7:00 p.m.** the night before the intended use of exhibits, to use additional exhibits on direct, that party will notify the opposing party as early as possible, but in no event later than **11:00 p.m.** the night before the exhibits are intended to be used in court. The parties will meet and confer on any objections by **9:30 p.m.** that evening and will present any unresolved issues to the Court the morning of the proposed use of the disputed exhibit. The parties hereby agree that, once confirmed, the exhibits to be used in direct examination may not change absent good cause.
7. Legible photocopies of United States and foreign patents may be offered and received into evidence in lieu of certified copies thereof, subject to all other objections which might be made to the admissibility of certified copies. Legible photocopies of United States Patent Applications and the contents of associated Patent and Trademark File Histories may be offered and received into evidence in lieu of certified copies thereof, subject to all other

objections which might be made to the admissibility of certified copies.

8. The parties shall allow for inspection of all **physical exhibits** they intend to use at trial by **9:00 a.m.** the day before such physical exhibits are first used. The parties' objections to the physical exhibits, if any, shall be exchanged no later than **6:30 p.m.** the evening before they are used. The parties will present any unresolved such objections to the Court the morning of the proposed use of the physical exhibit.

E. Identification of Potential Witnesses to be Called to Testify at Trial

1. Callaway Golf's List of Potential Trial Witnesses that it will call or may call at trial is attached as Exhibit 7 to this Order. This list includes a designation for each witness as to whether Callaway Golf intends to call the witness live or by deposition. Callaway Golf Deposition Designations (including Acushnet's counter-designations) and Acushnet's Objections to Callaway's Deposition Designations are attached as Exhibit 8.
2. Acushnet's List of Potential Trial Witnesses that it will call or may call at trial is attached as Exhibit 9 to this Order. This list includes a designation for each witness as to whether Acushnet intends to call the witness live or by deposition. Acushnet's Deposition Designations (including Callaway Golf's counter-designations) and Callaway's Objections to Acushnet's Deposition Designations are attached as Exhibit 10.
3. The listing of a witness on a party's witness list does not require that party to call that witness to testify, either live or by deposition. However, either party may call at trial any witness appearing on the other party's trial witness list.
4. Unless otherwise agreed to during trial, each party will provide to the other party a list of witnesses whom it intends to call on direct examination by **9:00 a.m.** the day before those witnesses are intended to testify in court. The parties hereby agree that, once confirmed, the identity and order of witnesses to be used in direct examination may not change absent good cause.
5. The parties have agreed that deposition designations need not be submitted for witnesses appearing on the Lists of Potential Trial Witnesses who appear live at trial. A party shall provide reasonable notice if for any reason it does not intend to call a witness that it had previously indicated would appear live. In that event, each party shall be allowed to designate (including counter-designations) and offer deposition testimony from such witness.

F. Brief Statement of Intended Proofs

1. Callaway Golf's brief statement of what it intends to prove in support of its claims is attached to this order as Exhibit 11.
2. Acushnet's brief statement of what it intends to prove in support of its claims is attached to this order as Exhibit 12.

G. Certificate of Attempted Resolution of Controversy

The parties certify that they have engaged in a good faith effort to explore resolution of the controversy by settlement.

H. Motions in Limine

A preliminary list of the motions in limine that Callaway Golf intends to raise is attached to this order as Exhibit 13. A preliminary list of the motions in limine that Acushnet intends to raise is attached to this order as Exhibit 14.

I. Other Matters

1. **Order of Proof:**

Callaway Proposal: Callaway will present its witnesses first on the issues of infringement, willfulness, and damages. Acushnet will then answer on these issues and also present its case on invalidity. Callaway will then answer Acushnet's invalidity case.

Acushnet Proposal: It is premature to resolve this issue before the pretrial conference. The order of proof should be resolved at the pretrial conference after the Court issues its *Markman* ruling and other rulings.

2. **Admission of Exhibits:**

A. The parties request that counsel be permitted to move, and the Court admit if appropriate, evidence on the morning following use of the evidence, to the extent not admitted at the time of use.

B. Any exhibit identified in Callaway's or Acushnet's Exhibit List and not objected to is deemed admissible and authentic and may be entered into evidence, except that objections under FRE 104, 105, 402, and 403 are reserved for trial.

3. **Deposition Designations:**

A. Unless otherwise agreed during trial, each party will provide the other party a list of deposition designations (from the previously designated testimony) that it intends to introduce by

7:00 p.m. two days before the designations are intended to be used in court. New deposition designations may not be added without good cause.

B. The other party will provide counter designations and objections (from the previously identified designations, and counter designations) by 7:00 p.m. the following evening. Such counter-designations may include deposition testimony previously designated by the other party. The parties will meet and confer on any objections by 11:00 p.m. that evening and will present any unresolved issues to the Court the morning of the proposed use of the disputed testimony. The parties hereby agree that, once confirmed, the deposition designations may not change absent good cause.

C. The manner of using counter designations at trial shall be in the same manner (video versus reading deposition transcripts) as that used for the designation sought to be rebutted, such that all designations, counter-designations, and cross designations will be played, or read, to the jury, as the case may be, in one consecutive segment in the order the testimony appears in the transcript. If a party offers video testimony, that party shall be responsible for including video portions of counter-designated testimony that is designated as described in this section. If a party reads testimony to the jury in lieu of playing video testimony, that party shall read all designations, counter designations and cross designations in one consecutive segment in the order the testimony appears in the transcript.

4. **Juror Information:**

A. The parties shall be allowed to provide a jury notebook to each of the jurors, which shall include the patents-in-suit and such other evidence that the parties agree on. The jurors shall be permitted to take handwritten notes during the presentations of the parties. The jury will be permitted to bring these notebooks and handwritten notes into the deliberation room.

B. Counsel are encouraged to make transition statements, to introduce witnesses and their role in the litigation.

5. **Confidential Information:**

A. The parties request that the trial be open to the public and not sealed unless a party requests that a particularly sensitive portion be sealed and not open. If a party makes such a request, subject to the Court's approval, and for good cause shown as required under the governing law of the Third Circuit, the courtroom will be cleared of those individuals not qualified under the Protective Order entered in this case, except that each party may designate one corporate representative who may remain in the courtroom throughout the entirety of the trial. Each party must notify the opposing party of the identity of this corporate representative before trial.

B. Transcripts of any sealed testimony, and exhibits entered while the courtroom is sealed, shall remain under seal until thirty (30) days after the conclusion of the trial. Prior to the time, the parties may designate, by page and line designations, the portions of the transcript they seek to have filed under seal and the exhibits they seek to have placed under seal, subject to Court approval. Counsel for the parties shall be responsible for supplying the envelopes and labels necessary for any materials placed under seal.

6. **Witness Sequestration:** The parties request pursuant to Fed. R. Evid. 615 that the Court prevent fact witnesses from hearing the testimony of other witnesses. The parties further request that in accordance with provision (2) of Rule 615, this exclusion rule will not apply to the officer or employee designated by each party as its representative. The parties further request that expert witnesses not be excluded for either fact or expert testimony.
7. **Opening and Closing Statements:** Counsel may use PowerPoint presentations in their opening and closing statements. In addition, the parties may request the Court to pre-admit into evidence certain exhibits prior to opening statements so that such evidence may be shown to the jury during opening statements. Neither admitted exhibits nor presentation materials that are merely the text of attorney argument need be exchanged prior to closing statements. However, demonstratives that have yet to be used in Court need to be exchanged in accordance with section III.D.4.
8. **Acushnet's Equitable Estoppel Defense:**

Callaway Golf's Position: The Court has previously denied Acushnet's request to stay the pending litigation on two separate occasions. The Court's determination properly will allow *all* the issues disputed by the parties to be resolved via this suit after a full record has been presented to the Jury; as opposed to waiting for the United States Patent and Trademark Office to resolve some of the issues disputed by the parties and then re-start this litigation after a decade or more of delay. Therefore, Callaway Golf believes that this issue has already been decided by the Court in Callaway Golf's favor. In any event, it is not an issue for the jury.

Acushnet's Position: Acushnet recognizes that the Court has addressed this issue on several occasions. Acushnet calls to the Court's attention the fact that on November 2, 2007, the Patent Office issued a new Office Action in the reexamination of the '130 patent, considering and rejecting all of Callaway's arguments, including commercial

success, and once again rejecting each of the claims of the '130 patent as obvious and anticipated. Acushnet expects similar office actions on the other three patents-in-suit to issue shortly. Acushnet believes that the parties should reflect at the pretrial conference whether these developments warrant revisiting the decision not to stay the case, and whether Callaway should be estopped from continuing this litigation until those reexamination proceedings conclude. Acushnet agrees that this is an issue for the Court.

9. Acushnet's Waiver/Laches Defense:

Callaway Golf's Position: Acushnet's waiver/laches defense is an issue for the Court not the jury.

Acushnet's Position: Acushnet asserts laches as a defense to Callaway's damages claims. Acushnet believes that while the ultimate issue of laches as a defense may be one for the Court to decide, it is appropriate to submit the issue to the jury together with the other damages-related questions.

10. Reexamination:

Callaway Golf's Position: As Callaway Golf has noted, the District Court is the most appropriate venue to assess validity of the asserted patents, because *inter alia* the United States Patent and Trademark Office applies a different standard to claim construction and lacks the ability to assess all of the evidence regarding validity. That independent assessment would be impeded should the jury learn of the *inter partes* reexamination proceedings that Acushnet has pursued – proceedings that are based on: (1) the broadest possible claim interpretation rather than the legally correct one under governing case law; and (2) less than the full evidentiary record that will be before the jury. This prejudice outweighs any probative value evidence of the reexamination may provide regarding any issue. Moreover, with regard to the breach of contract claim, the parties can simply reference the parties' settlement contract as prohibiting a party from pursuing another "proceeding", and that because Acushnet pursued another "proceeding" it breached the parties agreement. Therefore, no party shall be permitted to discuss,

mention, or allude to the pending inter partes reexaminations in the presence of the jury. Nor shall any party introduce or comment on evidence that refers to the reexaminations.

Acushnet's Position: Acushnet believes that evidence of the reexaminations is highly relevant to several issues in the case and should be presented to the jury. Two examiners in the reexaminations have now found asserted claims unpatentable as anticipated and obvious in light of the prior art Acushnet asserts in this case (the latter examiner considering and rejecting all of Callaway's arguments, including commercial success). In view of this further ruling by a new examiner, Acushnet contends that the probative value of this evidence is not substantially outweighed by any concerns articulated in Fed. R. Evid. 403, and thus should be admitted.

In addition, evidence of the reexaminations is relevant to Callaway's breach of contract claim, including in particular the reasonableness of any damages Callaway alleges for its breach of contract claim. Evidence of the reexaminations is also relevant to Acushnet's defense to Callaway's claim for willfulness in which it claims that Acushnet's alleged infringement continues to be willful.

Acushnet respectfully requests the Court's permission to submit a brief on the issue of the admissibility of the reexaminations.

11. Damages regarding breach of contract:

Callaway Golf's Position: In the event that Callaway Golf wins its motion for summary judgment that Acushnet breached the 1996 Settlement Agreement and it is necessary to present damages to the jury, no mention shall be made of the reexamination proceeding. Allowing Acushnet to mention the pending reexamination proceedings to the jury is tantamount to a reward for breaching the settlement agreement because of the unfair prejudice that will infect the jury. Therefore, as suggested above, the reexamination can simply be referred to as a "proceeding" and documents relevant to damages such as Callaway Golf's attorneys fees will be redacted to remove any reference to the reexamination.

Acushnet's Position: For the reasons stated above, Acushnet believes that the reexaminations are relevant to many issues in this case, including breach of contract damages. There is no way for the jury to determine the reasonableness of any attorneys' fees Callaway claims have resulted from Acushnet's alleged breach without examining the reasons such fees have been incurred. That inquiry necessitates a discussion of the substance of the reexaminations. Thus, Acushnet objects to any requirement that the reexaminations be referred to as anything that obscures the nature of the reexamination proceedings.

12. Deposition Designations

Callaway Golf's Position: Acushnet has designated Callaway Golf's counsel's instructions not to answer questions because of privilege. It is improper to play such "testimony" as it has no probative value and can only mislead and/or confuse the jury. Callaway Golf has raised the issue with Acushnet who has indicated that it intends to use these designated passages. Because this issue is not dependent upon any particular context, Acushnet's belated invitation to reconsider "specific portions" as noted below is simply an invitation to further delay a resolution of this straight-forward issue.

Acushnet's Position: Acushnet requests that Callaway identify the specific portions of deposition testimony it objects to on this basis. If Callaway will do so, Acushnet will carefully consider each such portion to determine whether Acushnet's designation of such testimony should be maintained or removed.

13. Representative Claims

Callaway Golf's Position: Callaway Golf believes that given the pending status Markman and Summary Judgment motions, it is premature at this time to reduce the number of pending claims to a representative number. However, after the Court has issued its rulings, Callaway Golf will choose no more than 12 claims to proceed on.

Acushnet's Position: Acushnet agrees that no more than 12 representative claims should be litigated in this case. Acushnet also agrees that it makes sense to identify those

12 claims after the Court rules on the pending Markman and Summary Judgment motions. Acushnet does not agree that the choice of those 12 claims should be solely at the discretion of Callaway. After the Court rules on the pending Markman and Summary Judgment motions, Acushnet believes the parties should meet and confer to agree on at most 12 representative claims, and if no agreement can be reached, the parties should submit competing proposals to the Court.

IV. PRETRIAL ORDER TO CONTROL FUTURE PROCEEDINGS

This Order shall control the subsequent course of the action unless modified by the Court to prevent manifest injustice.

/s/ Thomas L. Halkowski

Thomas L. Halkowski (#4099)
Fish & Richardson P.C.
919 N. Market Street, Suite 1100
P.O. Box 1114
Wilmington, DE 19899-1114
Tel: (302) 652-5070
Fax: (302) 652-0607

Frank E. Scherkenbach
225 Franklin Street
Boston, MA 02110-2804
Tel: (617) 542-5070
Fax: (617) 542-8906

David J. Miclean
500 Arguello Street, Suite 500
Redwood City, CA 94063
Tel: (650) 839-5070
Fax: (650) 839-5071

Roger A. Denning
12390 El Camino Real
San Diego, CA 92130
Tel: (858) 678-5070
Fax: (858) 678-5099

Attorneys for Plaintiffs
CALLAWAY GOLF COMPANY

/s/ Richard L. Howitz

Richard L. Horwitz
David E. Moore
Potter Anderson & Corroon LLP
Hercules Plaza
1313 North Market Street, 6th Floor
P.O. Box 951
Wilmington, DE 19899

Joseph P. Lavelle
Kenneth W. Donnelly
Brian A. Rosenthal
Howrey LLP
1299 Pennsylvania Avenue, N.W.
Washington, DC 20004

Attorneys for Defendants
ACUSHNET COMPANY

SO ORDERED this _____ day of _____, 2007.

UNITED STATES DISTRICT JUDGE

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Exhibit 1

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CALLAWAY GOLF COMPANY,

Plaintiff,

v.

ACUSHNET COMPANY,

Defendant.

C. A. No. 06-91 (SLR)

EXHIBIT 1

STATEMENT OF FACTS WHICH ARE ADMITTED AND REQUIRE NO PROOF

Plaintiff and Defendant stipulate to the following admitted facts that require no proof:

1. Plaintiff Callaway Golf Company (“Callaway Golf”) is a corporation organized and existing under the laws of the State of Delaware, having a principal place of business in Carlsbad, California.
2. Callaway Golf is the parent company of The Top-Flite Golf Company (“Top-Flite”), which is a corporation organized and existing under the laws of the State of Delaware, having a principal place of business in Chicopee, Massachusetts.
3. Defendant Acushnet Company (“Acushnet”) is a corporation organized and existing under the laws of the State of Delaware, having a principal place of business in Fairhaven, Massachusetts.
4. Acushnet is a wholly-owned operating company of Fortune Brands, Inc. (“Fortune Brands”).

5. Fortune Brands is a publicly-traded corporation organized and existing under the laws of the State of Delaware.
6. United States Patent No. 6,210,293 (“the ’293 patent”) entitled “Multi-Layer Golf Ball” issued on April 3, 2001.
7. United States Patent No. 6,503,156 (“the ’156 patent”) entitled “Golf Ball Having Multi-Layer Cover With Unique Cover Characteristics” issued on January 7, 2003.
8. United States Patent No. 6,506,130 (“the ’130 patent”) entitled “Multi-Layer Golf Ball” issued on January 14, 2003.
9. United States Patent No. 6,595,873 (“the ’873 patent”) entitled “Multi-Layer Golf Ball” issued on July 22, 2003.
10. Michael J. Sullivan is the sole named inventor on the ’293, ’156, ’130, and ’873 patents (collectively “the patents-in-suit”).
11. United States Patent 4,274,637 (“Molitor ‘637”), entitled “Golf ball having cellular cover,” issued on June 23, 1981.
12. United States Patent 4,431,193 (“Nesbitt”), entitled “Golf ball and method of making same,” issued on February 14, 1984.
13. United States Patent 4,674,751 (“Molitor ‘751”), entitled “Golf ball having improved playability properties,” issued on June 23, 1987.
14. United States Patent 5,314,187 (“Proudfit”), entitled “Golf ball with improved cover,” issued on May 24, 1994.
15. United States Patent 5,334,673 (“Wu”), entitled “Polyurethane golf ball,” issued on August 2, 1994.

16. The effective priority date of the '293, 156, and '873 patents is November 9, 1995.
17. The effective priority date of the '130 patent is October 13, 1995.

Exhibit 2

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CALLAWAY GOLF COMPANY,

Plaintiff,

v.

ACUSHNET COMPANY,

Defendant.

C. A. No. 06-91 (SLR)

EXHIBIT 2

STATEMENT OF ISSUES OF FACT THAT REMAIN TO BE LITIGATED

The following factual issues remain to be litigated at trial. To the extent that any issues of law set forth in Exhibits 3 or 4 of the Joint Pre-Trial Order may be considered or include issues of fact, the parties incorporate those portions of Exhibits 3 and 4 herein by reference. The parties incorporate Exhibits 11 and 12 (Brief Statement of Intended Proofs) herein.

I. INFRINGEMENT

1. Whether Callaway Golf can show by a preponderance of the evidence that Acushnet has infringed at least one of claims 1, 2, 4, and 5 of United States Patent No. 6,506,130.
2. Whether Callaway Golf can show by a preponderance of the evidence that Acushnet has infringed at least one of claims 1-11 of United States Patent No. 6,503,156.
3. Whether Callaway Golf can show by a preponderance of the evidence that Acushnet has infringed at least one of claims 1, 2, 4, and 5 of United States Patent No. 6,210,293.
4. Whether Callaway Golf can show by a preponderance of the evidence that Acushnet has infringed at least one of claims 1 and 3 of United States Patent No. 6,595,873.

II. WILLFUL INFRINGEMENT

1. Whether Callaway Golf can show by clear and convincing evidence that Acushnet's alleged infringement of United States Patent No. 6,506,130 was and is willful.
2. Whether Callaway Golf can show by clear and convincing evidence that Acushnet's alleged infringement of United States Patent No. 6,503,156 was and is willful.
3. Whether Callaway Golf can show by clear and convincing evidence that Acushnet's alleged infringement of United States Patent No. 6,210,293 was and is willful.
4. Whether Callaway Golf can show by clear and convincing evidence that Acushnet's alleged infringement of United States Patent No. 6,595,873 was and is willful.

III. BREACH OF CONTRACT

1. Whether Callaway Golf can show by a preponderance of the evidence that Acushnet breached the 1996 Settlement Agreement.

IV. INVALIDITY (AND OTHER DEFENSES)

A. Obviousness

While obviousness is a legal issue, Acushnet intends to offer evidence on at least the following underlying issues of fact:

1. The scope and content of the prior art.
2. The level of ordinary skill in the art of the patents-in-suit in 1995.
3. The differences, if any, between the claimed inventions of the patents-in-suit and the prior art.
4. If Callaway offers evidence of alleged secondary considerations of non-obviousness, Acushnet will offer evidence to rebut such secondary consideration evidence and to demonstrate that there is no nexus between any such alleged secondary considerations and the claimed inventions of the patents-in-suit.

B. Anticipation

1. Whether Acushnet has proven by clear and convincing evidence that the asserted claims of the '293 patent are anticipated under 35 U.S.C. § 102.
2. Whether Acushnet has proven by clear and convincing evidence that the asserted claims of the '156 patent are anticipated under 35 U.S.C. § 102.
3. Whether Acushnet has proven by clear and convincing evidence that the asserted claims of the '130 patent are anticipated under 35 U.S.C. § 102.
4. Whether Acushnet has proven by clear and convincing evidence that the asserted claims of the '873 patent are anticipated under 35 U.S.C. § 102.

C. Written Description

1. Whether Acushnet has proven by clear and convincing evidence that the asserted claims of the '293 patent are invalid under 35 U.S.C. § 112 for failure to provide an adequate written description.
2. Whether Acushnet has proven by clear and convincing evidence that the asserted claims of the '156 patent are invalid under 35 U.S.C. § 112 for failure to provide an adequate written description.
3. Whether Acushnet has proven by clear and convincing evidence that the asserted claims of the '130 patent are invalid under 35 U.S.C. § 112 for failure to provide an adequate written description.
4. Whether Acushnet has proven by clear and convincing evidence that the asserted claims of the '873 patent are invalid under 35 U.S.C. § 112 for failure to provide an adequate written description.

D. Other

1. Callaway Golf reserves the right to address in rebuttal all issues relating to the validity of the patents-in-suit, including:
 - (a) That none of the asserted claims of the patents-in-suit are invalid as anticipated, obvious, or for lacking written description;
 - (b) whether any suggestion or motivation existed to combine and/or alter prior art to arrive at the inventions set forth in the asserted claims; and
 - (c) the extent of objective indicia of nonobviousness of the inventions set forth in the asserted claims, including:
 - (i) commercial success of products covered by any of the asserted patent claims; (ii) a long felt, unmet need in the art that was satisfied by the invention; (iii) the

failure by others to make the invention; (iv) copying of the invention by others; (v) initial skepticism of the invention by others; (vi) praise of the invention by others. Callaway Golf will also show that there is a nexus between the secondary considerations and the claimed inventions of the patents-in-suit.

V. DAMAGES

1. The amount of damages, if any, in the form of lost profits due to Callaway Golf as a result of Acushnet Company's alleged infringement through November 30, 2007.
2. The amount of damages, if any, in the form of a royalty due to Callaway Golf as a result of Acushnet Company's alleged infringement through November 30, 2007.
3. The amount of damages, if any, in the form of lost profits due to Callaway Golf as a result of Acushnet Company's alleged infringement from December 1, 2007 through such time as Acushnet Company is enjoined, if ever, from further infringement to be determined by a post-judgment accounting ordered by the Court.
4. The amount of damages, if any, in the form of a reasonable royalty due to Callaway Golf as a result of Acushnet Company's alleged infringement from December 1, 2007 through such time as Acushnet Company is enjoined, if ever, from further infringement to be determined by a post-judgment accounting ordered by the Court.

As to 3 and 4, Callaway Golf contends that should Acushnet be found to infringe any claim of the patents-in-suit, an injunction is appropriate. Acushnet disagrees.

5. If Callaway has proven that Acushnet breached the 1996 Settlement Agreement with Spalding, the amount of damages due to Callaway Golf as a result of Acushnet Company's breach of the 1996 Settlement Agreement through November 30, 2007.
6. If Callaway has proven that Acushnet breached the 1996 Settlement Agreement with Spalding, the amount of damages due to Callaway Golf as a result of Acushnet Company's breach of the 1996 Settlement Agreement from December 1, 2007 through such time as the USPTO proceedings regarding the patents-in-suit are complete.

As to 5 and 6, Acushnet contends that Callaway Golf is precluded from obtaining damages on its breach of contract claim. Callaway has never provided a computation of

its breach of contract damages, as required by Rule 26 mandatory disclosures, or any documents demonstrating its damages, and has never indicated any witnesses who may testify concerning Callaway's alleged damages, such that Acushnet could depose them. Acushnet has no idea of even the magnitude of the damages that Callaway may be claiming. Also, having learned that Callaway's damages, if ever disclosed, will be based on attorneys' fees, Acushnet contends that Delaware law does not permit this form of damages on this contract. Callaway disagrees that it is precluded and is preparing a redacted set of materials regarding damages which will confirm the extent of attorney fees and expenses to date. Since the beginning of the reexamination proceedings, Callaway Golf and Fish & Richardson have maintained a separate billing number solely for fees related to the reexaminations. The calculation is not difficult and if deemed appropriate, Callaway Golf will provide a witness on the topic of those fees prior to trial.

Exhibit 2 -- Joint Contested Facts FINAL.doc

Exhibit 3

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CALLAWAY GOLF COMPANY,

Plaintiff,

v.

ACUSHNET COMPANY,

Defendant.

Civil Action No. 05-91 (SLR)

EXHIBIT 3

CALLAWAY GOLF'S STATEMENT OF ISSUES OF LAW THAT REMAIN TO BE

LITIGATED

The following legal issues remain to be litigated. To the extent that any issues of fact set forth in Exhibit 2 of the Joint Pre-Trial Order may be considered issues of law, those portions of Exhibit 2 are herein incorporated by reference. To the extent any of the issues of law set forth in this exhibit may be considered issues of fact, Callaway Golf incorporates those portions of this exhibit in Exhibit 2. Callaway Golf incorporates by reference Exhibit 11 (Brief Statement of Intended Proofs) herein.

- A.** The scope of the injunction to which Callaway Golf is entitled enjoining Acushnet from further infringement of the asserted claims of the patents-in-suit.
- B.** What enhancement of damages Callaway Golf is entitled to as a result of Acushnet's willful infringement.
- C.** The rate of pre-judgment interest to be applied to any award.
- D.** The rate of post-judgment interest to be applied to any award.
- E.** Whether Callaway Golf should be awarded attorneys' fees pursuant to 35 U.S.C. § 285.
- F.** Whether Acushnet has breached the 1996 Settlement Agreement.

Exhibit 4

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CALLAWAY GOLF COMPANY,

Plaintiff,

v.

ACUSHNET COMPANY,

Defendant.

C. A. No. 06-91 (SLR)

EXHIBIT 4

**ACUSHNET'S STATEMENT OF ISSUES OF LAW
THAT REMAIN TO BE LITIGATED**

Acushnet contends that the following legal issues remain to be litigated. To the extent that any issues of fact set forth in Exhibit 2 may be considered issues of law, Acushnet incorporates these portions of Exhibit 2 by reference. To the extent any of the issues of law set forth below may be considered issues of fact, Acushnet incorporates those issues into Exhibit 2. Acushnet also incorporates Exhibit 12 (Brief Statement of Intended Proofs) herein by reference. These issues of law may change based on the Court's decisions on the pending summary judgment motions, claim constructions, and any motions *in limine* filed with the Court.

I. INVALIDITY OF CALLAWAY'S PATENTS-IN-SUIT

A. Obviousness

Issue of law: Whether the asserted claims of the patents-in-suit are invalid as obvious under 35 U.S.C. § 103. Acushnet may rely on some or all of the following combinations of prior art references:

- U.S. Patent No. 5,314,187 to Proudfit in view of U.S. Patent No. 4,674,751 to Molitor
- U.S. Patent No. 5,314,187 to Proudfit in view of U.S. Patent No. 5,334,673 to Wu
- U.S. Patent No. 5,314,187 to Proudfit in view of U.S. Patent No. 4,274,637 to Molitor
- U.S. Patent No. 4,431,193 to Nesbitt in view of U.S. Patent No. 4,674,751 to Molitor
- U.S. Patent No. 4,431,193 to Nesbitt in view of U.S. Patent No. 5,334,673 to Wu
- U.S. Patent No. 4,431,193 to Nesbitt in view of U.S. Patent No. 4,274,637 to Molitor
- The Wilson Ultra Tour Balata Golf Ball in view of in view of U.S. Patent No. 4,674,751 to Molitor
- The Wilson Ultra Tour Balata Golf Ball in view of in view of U.S. Patent No. 5,334,673 to Wu
- The Wilson Ultra Tour Balata Golf Ball in view of the Titleist Professional Golf Ball
- The Wilson Ultra Tour Balata Golf Ball in view of the Titleist Professional 2P Golf Ball
- Other art identified by Acushnet in its discovery responses

35 U.S.C. §103 (a) states:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this titled, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Thus, a claim is obvious when the differences between the subject matter of the claim and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person of ordinary skill in the art. *KSR Int'l Co. v. Teleflex*,

Inc., 127 S. Ct. 1727, 1734 (2007); *see also Alza Corp. v. Mylan Labs., Inc.*, 464 F.3d 1286, 1289 (Fed. Cir. 2006); *In re Kahn*, 441 F.3d 997, 985 (Fed. Cir. 2006) (citing *Graham v. John Deere Co.*, 383 U.S. 1, 13, 14 (1966); *Merck & Co. v. Biocraft Labs., Inc.*, 874 F.2d 804, 807 (Fed. Cir. 1989)).

Obviousness is a question of law based upon underlying factual questions, which are (1) the scope and content of the prior art; (2) the level of ordinary skill in the prior art; and (3) the differences between the claimed invention and the prior art. *KSR*, 127 S. Ct. at 1734. In addition, objective evidence of non-obviousness might also be utilized to give light to the circumstances surrounding the origin of the claimed subject matter. *Id.*; *Graham v. John Deere Co.*, 383 U.S. at 18; *see also Alza Corp.*, 464 F.3d at 1289-90; *Dippin' Dots, Inc. v. Mosey*, 476 F.3d 1337, 1343 (Fed. Cir. 2007); *Pfizer v. Apotex, Inc.*, 480 F.3d 1348 (Fed. Cir. 2007); *Leapfrog Enters., Inc. v. Fisher-Price, Inc.*, 485 F.3d 1157, 1162 (Fed. Cir. 2007); *In re Translogic Tech., Inc.*, 2007 U.S. App. LEXIS 23969, *26 (Fed. Cir. Oct. 12, 2007).

If a person of ordinary skill can implement a predictable variation, § 103 likely bars its patentability. Likewise, if a technique has been used to improve one device, and a person of ordinary skill in the art would recognize that it would improve similar devices in the same way, using the technique is obvious. *KSR*, 127 S. Ct. at 1740. “When there is a design need or market pressure to solve a problem and there are a finite number of identified, predictable solutions, a person of ordinary skill has a good reason to pursue the known options within his or her technical grasp. If this leads to the anticipated success, it is likely the product not [sic] of innovation but of ordinary skill and common sense.” *Id.* at 1742. In conducting an obviousness analysis, the court need not seek out precise teachings directed to the specific

subject matter of the challenged claim, but rather a court can take into account the inferences and creative steps that a person of ordinary skill would employ. *Id.* at 1741.

1. Secondary Considerations

Once presented with a *prima facie* case of invalidity based on obviousness, a patentee must come forward with rebuttal evidence if the patent is to be saved from a finding of invalidity. *See Mas-Hamilton Group v. LaGard, Inc.*, 156 F.3d 1206, 1216 (Fed. Cir.1998); *Pfizer Inc. v. Apotex*, 480 F.3d 1348, 1360 (Fed. Cir. 2007). For this, the patentee may present evidence of alleged objective indicia of non-obviousness, *i.e.* secondary considerations, such as commercial success, unexpectedly better results, failure of others, commercial acquiescence to the validity of the patent, and copying. *See Graham v. John Deere Co.*, 383 U.S. 1, 17 (1966).

As part of this evidence, however, a “nexus must be established between the merits of the claimed invention and evidence of commercial success [, or other secondary considerations,] before that evidence may become relevant to the issue of obviousness.” *Iron Grip Barbell Co., Inc. v. USA Sports, Inc.*, 392 F.3d 1317, 1324 (Fed. Cir. 2004) (quoting *Solder Removal Co. v. USITC*, 582 F.2d 628, 637 (1978)).

“[E]vidence of commercial success, or other secondary considerations, is only significant if there is a nexus between the claimed invention and the commercial success.” *Ormco Corp. v. Align Tech., Inc.*, 463 F.3d 1299, 1311-12 (Fed. Cir. 2006); *see also Stratoflex, Inc. v. Aeroquip Corp.*, 713 F.2d 1530, 1539 (Fed. Cir. 1983). Where the patentee cannot establish such a nexus, the alleged evidence of secondary considerations is given little or no weight. For example, the commercial success of a product sponsored by the preexisting market

leader is of limited probative value. *Pentec, Inc. v. Graphic Controls, Corp.*, 776 F.2d 309, 316 (Fed. Cir. 1985) (Because GC was clearly the market leader well before the introduction of the [patented product], its sales figures cannot be given controlling weight in this case on the question of obviousness.”). *See also Schwinn Bicycle Co. v. Goodyear Tire & Rubber Co.*, 444 F.2d 295, 300 (9th Cir. 1970) (finding patent obvious despite commercial success where patented product was sold by market leader). This is especially true when the commercial success of a market leader’s new product replaces sales of the market leader’s previous products. *See McNeil-PPC v. Perrigo Co.*, No. 05 Civ. 1321 (WHP), 2007 U.S. Dist. LEXIS 50255 at **33-34 (S.D.N.Y. July 3, 2007). Also, when a commercially successful product is covered by multiple patents, it makes it very difficult to attribute commercial success to any one of those patents. *See id.* at *34 (finding no nexus between commercial success and asserted patent where patented product was covered by three different patents).

B. Anticipation

Issue of law: Whether the Nesbitt ‘193 patent incorporates by reference the Molitor ‘637 patent.

35 U.S.C. §102 (b) states:

A person shall be entitled to a patent unless the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States.

Anticipation requires that a single prior art reference disclose each and every limitation of the claimed invention. *Schering Corp. v. Geneva Pharmaceuticals*, 339 F.3d 1373, 1379-80 (Fed. Cir. 2003). There is no requirement that each claim limitation be found in a single example of the single prior art reference. *See Glaxo Group Ltd. v. Apotex, Inc.*, 376 F.3d 1339,

1349 (Fed. Cir. 2004) (“[A]nticipation requires that all limitations of the claimed invention are described in a single reference, rather than a single example in the reference.”).

“[A] prior art reference may anticipate without disclosing a feature of the claimed invention if that missing characteristic is necessarily present, or inherent, in the single anticipating reference.” *SmithKline Beecham Corp. v. Apotex Corp.*, 403 F.3d 1331, 1343 (Fed. Cir. 2005); *Continental Can Co. v. Monsanto Co.*, 948 F.2d 1264, 1268 (Fed. Cir. 1991). As such, “anticipation does not require actual performance of suggestions in a disclosure. Rather, [it] only requires that those suggestions be enabling to one of skill in the art.” *Bristol-Myers Squibb Co. v. Ben Venue Laboratories, Inc.*, 246 F.3d 1368, 1378 -1381 (Fed. Cir. 2001). Furthermore, there is no requirement that a person of ordinary skill in the art recognize that the inherent property would be present in the prior art reference. *Schering Corp.*, 339 F.3d at 1378. “Where... the result is a necessary consequence of what was deliberately intended, it is of no import that the article’s authors did not appreciate the results.” *MEHL/Biophile Int’l Corp. v. Milgraum*, 192 F.3d 1362, 1366 (Fed. Cir. 1999); *Atlas Powder Co. v. Ireco, Inc.*, 190 F.3d 1342, 1348-49 (Fed. Cir. 1999). In some cases, the inherent property corresponds to a claimed new benefit or characteristic of an invention otherwise in the prior art. In those cases, the new realization alone does not render the old invention patentable. *See Atlas Powder*, 190 F.3d at 1347; *Johnson & Johnson v. W.L. Gore & Assocs.*, 436 F. Supp. 704, 725 (D. Del. 1977) (“Recognition of the inherent properties of a material does not constitute invention.”).

Material incorporated by reference into a document may be considered in an anticipation determination. *Advanced Display Systems, Inc. v. Kent State University*, 212 F.3d 1272, 1282 (Fed. Cir. 2000). “Incorporation by reference provides a method for integrating

material from various documents into a host document—a patent or printed publication in an anticipation determination—by citing such material in a manner that makes clear that the material is effectively part of the host document as it is were explicitly contained therein.” *Id.*

Prior art that supplies a specific example contained within the range(s) given by a patent claim will invalidate that claim as anticipated. *See Titanium Metals Corp. v. Banner*, 778 F.2d 775, 782 (Fed. Cir. 1985). A single example is sufficient to invalidate the entire claim. *See Atlas Powder Co. v. Ireco Inc.*, 190 F.3d 1342, 1346 (Fed. Cir. 1999). When a patent claims a limitation “in terms of ranges,” a single prior art reference that falls within each of the ranges anticipates the claim. *Id.* The example can include specific values mentioned in the prior art or it can be a point derived from a graph in the prior art. *See Titanium Metals Corp. v. Banner*, 778 F.2d 775 (Fed. Cir. 1985). Once a specific example has been found that is contained within the range(s) of the patent claim, the claim will be invalidated without regard to other considerations. *See id.*

C. Enablement and Written Description

Issue of law: Whether the asserted claims of the patents-in-suit are invalid under 35 U.S.C. § 112 for lack of enablement.

35 U.S.C. §112, ¶1 states:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The specification must describe the manner and process of making and using the invention so as to enable a person of skill in the art to make and use the full scope of the invention without undue experimentation. *See Automotive Techs. Int'l, Inc. v. BMW of N. Am.*, 2007 U.S. App. LEXIS 21271, **27-28 (Fed. Cir., Sept. 6, 2007); *Liebel-Flarsheim Co. v. Medrad, Inc.*, 481 F.3d 1371, 1378-79 (Fed. Cir. 2007); *Lizardtech, Inc. v. Earth Resource Mapping, Inc.*, 424 F.3d 1336 1345 (Fed. Cir. 2005); *AK Steel Corp. v. Sollac and Ugine*, 344 F.3d 1234, 1244 (Fed. Cir. 2003). In particular, “there must be sufficient disclosure, either through illustrative examples or terminology, to teach those of ordinary skill how to make and how to use the invention as broadly as it is claimed.” *In re Vaeck*, 947 F.2d 488, 496 (Fed. Cir. 1991); *see also Plant Genetic Systems, N.V. v. DeKalb Genetics Corporation*, 315 F.3d 1335 (Fed. Cir. 2003) (“the scope of the claims must bear a reasonable correlation to the scope of enablement provided by the specification to persons of ordinary skill in the art.”) (citations omitted); *National Recovery Technologies, Inc. v. Magnetic Separation Systems, Inc.*, 166 F.3d 1190, 1195-1196 (Fed. Cir. 1999) (“The enablement requirement ensures that the public knowledge is enriched by the patent specification to a degree at least commensurate with the scope of the claims.”) (citations omitted).

The Federal Circuit has stated that “[p]atent protection is granted in return for an enabling disclosure of an invention, not for vague intimation of general ideas that may or may not be workable.” *Genentech Inc. v. Novo Nordisk A/S*, 108 F.3d 1361, 1365-66 (Fed. Cir. 1997). Where the claimed invention is the application of an unpredictable technology an enabling description in the specification must provide those skilled in the art with a specific and useful teaching. 108 F.3d at 1367-68; *see also In re Fisher*, 427 F.2d 833, 839 (C.C.P.A. 1970) (in cases involving unpredictable factors, such as most chemical reactions and physiological

activity, the scope of the enablement obviously varies inversely with the degree of unpredictability of the factors involved.”).

A patent is not enabled nor adequately described merely by describing one embodiment of the claims, if the claims are construed to have a scope broader than that embodiment. *Automotive Techs. Int’l.*, 2007 U.S. App. LEXIS 21271, **27-28; *Liebel-Flarsheim Co.*, 481 F.3d at 1378-79. Similarly, a patent specification does not provide an enabling disclosure where it does not disclose in its specification embodiments of the invention covering points throughout the broad range claimed by the applicants. *AK Steel*, 344 F.3d at 1244; *see also*, *e.g.*, *In re Cook*, 439 F.2d 730, 735-36 (C.C.P.A. 1971) (claims properly rejected when applicants failed to establish support for range limitations in claims; although applicants disclosed six examples, they failed to disclose embodiments at “various points throughout the broader claimed range.”); *In re Fisher*, 427 F.2d at 839 (claims properly rejected where claim required potency of “at least 1” but specification disclosed products having potencies from only 1.11 to 2.30); *Syngenta Seeds, Inc. v. Monsanto Co.*, 404 F.Supp.2d 594, 603-04 (D.Del. 2005) (affirming jury verdict that claims having “at least about 60%” limitation were invalid for lack of written description where the specification disclosed only one working gene in the claimed range).

The patent must describe the invention sufficiently to convey to a person of skill in the art that the patentee had possession of the claimed invention at the time of the application, i.e., that the patentee invented what is claimed. *Lizardtech*, 424 F.3d at 1345. In other words, the court must decide whether the invention applicants seek to protect by their claims is part of the

invention that is described in the specification. *In re Wertheim*, 541 F.2d 257, 263 (C.C.P.A. 1976)

Where the claims of the patent are broader than the invention applicants described in the patent specification, the patent does not satisfy the written description requirement. *Id.* at 263 (claim properly rejected where it recites a solids content range of “at least 35%,” which is broader than the 25-65% range described in the patent); *see also In re Cook*, 439 F.2d 730, 735-36 (C.C.P.A. 1971) (claims properly rejected when applicants failed to establish support for range limitations in claims; although applicants disclosed six examples, they failed to disclose embodiments at “various points throughout the broader claimed range.”); *In re Fisher*, 427 F.2d at 839 (claims properly rejected where claim required potency of “at least 1” but specification disclosed products having potencies from only 1.11 to 2.30); *Syngenta Seeds, Inc. v. Monsanto Co.*, 404 F.Supp.2d 594, 603-04 (D.Del. 2005) (affirming jury verdict that claims having “at least about 60%” limitation were invalid for lack of written description where the specification disclosed only one working gene in the claimed range).

The enablement and written description requirements of 35 U.S.C. §112, ¶1 usually rise and fall together. “A recitation of how to make and use the invention across the full breadth of the claim is ordinarily sufficient to demonstrate that the inventor possesses the full scope of the invention, and vice versa.” *Lizardtech*, 424 F.3d at 1345.

D. Presumption of Validity

35 U.S.C. § 282 states in pertinent part:

A patent shall be presumed valid. Each claim of a patent (whether in independent, dependent or multiple dependent

form) shall be presumed valid independently of the validity of other claims; dependent or multiple dependent claims shall be presumed valid even though dependent upon an invalid claim. The burden of establishing invalidity of a patent or any claim thereof shall rest on the party asserting such invalidity.

A patent is presumed valid; however, the presumption is in no way dispositive. Instead, “The courts are the final arbiter of patent validity and, although courts may take cognizance of, and benefit from, the proceedings before the patent examiner, the question is ultimately for the courts to decide, without deference to the rulings of the patent examiner.” *Quad Envtl. Techs. Corp. v. Union Sanitary Dist.*, 496 F.2d 870, 876 (Fed. Cir. 1991). Furthermore, the presumption of validity seems diminished when the PTO has issued a patent without acting on full information. *KSR*, 127 S. Ct. at 1745. Moreover, the presumption of validity seems diminished where, as here, the PTO has reviewed the initial grant of patentability and determined that the claims of the patent at issue are not valid.

II. INFRINGEMENT

A. Literal Infringement

Issue of law: Proper construction of the disputed terms of the patents-in-suit:

35 U.S.C. § 271(a) states:

Except as otherwise provided in this title, whoever without authority makes, uses, offers to sell, or sells any patented invention, within the United States or imports into the United States any patented invention during the term of the patent therefor, infringes the patent.

Literal infringement is determined in a two-step analysis. The first step is determining the meaning and scope of the patent claims asserted to be infringed. The second step is comparing the properly construed claims to the device accused of infringing. *Markman v.*

Westview Instruments, Inc., 52 F.3d 967, 976 (Fed. Cir. 1995) (en banc), *aff'd.*, 517 U.S. 370 (1996).

Interpretation of the asserted claims is a question of law, and the court must determine the scope and meaning of the claims. *Id.* Claims are construed with reference to the claim language, the patent specification and the prosecution history, which together constitute the “intrinsic” evidence. *Loctite v. Ultraseal*, 781 F.2d 861, 867 (Fed. Cir. 1985). When determining the scope and meaning of the patent claims, the language of the claims in light of the specification is considered first. *McGill, Inc. v. John Zink Co.*, 736 F.2d 666, 672 (Fed. Cir. 1984).

In a patent case, the patentee bears the burden of proving infringement. *See Under Sea Indus., Inc. v. Dacor Corp.*, 833 F.2d 1551, 1557 (Fed. Cir. 1987). To establish infringement, in the second step, the patentee must demonstrate that the accused products contain each and every limitation of the asserted claim, either literally or by equivalence. *See S. Bravo Sys. v. Containment Techs. Corp.*, 96 F.3d 1372, 1376 (Fed. Cir. 1996). “If even one limitation is missing, there is no literal infringement.” *Mas-Hamilton Group v. LaGard, Inc.*, 156 F.3d 1206, 1211 (Fed. Cir. 1998).

B. Infringement under the Doctrine of Equivalents

If a product does not literally infringe the claims of an asserted patent, the product may still be found to infringe the patent under the Doctrine of Equivalents if there is “equivalence” between the accused product and each element of the patent’s claims. *Graver Tank & Mfg. Co. v. Linde Air Prods. Co.*, 339 U.S. 605, 608 (1950); *Warner-Jenkinson Co., Inc. v. Hilton Davis*

Chem. Co., 520 U.S. 17, 28 (1997); *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 535 U.S. 722, 732 (2002). A claim limitation is equivalently present in an accused device if there are only “insubstantial differences” between the claim limitation and the corresponding aspect of the accused device. *CAE Screenplates, Inc. v. Heinrich Fiedler GmbH & Co. KG*, 224 F.3d 1308, 1317 (Fed. Cir. 2000). Thus, the doctrine of equivalents allows the patentee to claim those “*unimportant and insubstantial* changes and substitutions in the patent which, though adding nothing, would be enough to take the copied matter outside the claim.” *Festo VIII*, U.S. at 733 (emphasis added).

The doctrine of equivalents does not permit wholesale redrafting of a claim in order to capture an accused product; the deviation from the literal scope of the claim must be *insubstantial*, *Perkin-Elmer Corp. v. Westinghouse Elec. Corp.*, 822 F.2d 1528, 1532 (Fed. Cir. 1987). The test for determining whether differences are “insubstantial” is objective: whether a person with ordinary skill in the relevant art would find the differences to be “insubstantial.” *Hilton Davis Chem. Co. v. Warner-Jenkinson Co.*, 62 F.3d 1512, 1519 (Fed. Cir. 1995), *rev’d on other grounds*, 520 U.S. 17 (1997). Where the patent describes a narrow mechanical improvement in a crowded field, the scope of potential equivalents is narrow. *Texas Instruments, Inc. v. U.S. Int’l Trade Comm’n*, 805 F.2d 1558, 1563 (Fed. Cir. 1986).

III. REMEDIES

A. Laches

Issue for the Court: Whether Callaway’s claimed are barred by the equitable doctrine of laches.

To invoke the defense of laches, a defendant must prove that (1) the plaintiff “delayed filing suit for an unreasonable and inexcusable length of time” and (2) the “delay operated to the prejudice or injury of the defendant.” *A.C. Auckerman Co. v. R.L. Chaides Const. Co.*, 960 F.2d 1020, 1032 (Fed. Cir. 1992).

B. Reasonable Royalty

35 U.S.C. § 284 states:

Upon finding for the claimant the court shall award the claimant damages adequate to compensate for the infringement, but in no event less than a reasonable royalty for the use made of the invention by the infringer, together with interest and costs as fixed by the court.

In determining a reasonable royalty, courts often apply the fifteen factors first enunciated in *Georgia-Pacific Corp. v. United States Plywood Corp.*, 318 F. Supp. 1116, 1120 (S.D.N.Y. 1970), *modified and aff’d*, 446 F.2d 295 (2d Cir.), *cert. denied*, 404 U.S. 870 (1971). *See Unisplay, S.A. v. American Elec. Sign Co.*, 69 F.3d 512, 517, n.7 (Fed. Cir. 1995) (citing to *Georgia-Pacific* factors). These factors are:

1. The royalties received by the patentee for the licensing of the patent in suit, proving or tending to prove an established royalty.
2. The rates paid by the licensee for the use of other patents comparable to the patent in suit.
3. The nature and scope of the license, as exclusive or non-exclusive; or as restricted or nonrestricted in terms of territory or with respect to whom the manufactured product may be sold.

4. The licensor's established policy and marketing program to maintain his patent monopoly by not licensing others to use the invention or by granting licenses under special conditions designed to preserve that monopoly.

5. The commercial relationship between the licensor and licensee, such as, whether they are competitors in the same territory in the same line of business; or whether they are inventor and promotor [sic].

6. The effect of selling the patented specialty in promoting sales of other products of the licensee; the existing value of the invention to the licensor as a generator of sales of his non-patented items; and the extent of such derivative or convoyed sales.

7. The duration of the patent and the term of the license.

8. The established profitability of the product made under the patent; its commercial success; and its current popularity.

9. The utility and advantages of the patent property over the old modes or devices, if any, that had been used for working out similar results.

10. The nature of the patented invention; the character of the commercial embodiment of it as owned and produced by the licensor; and the benefits to those who have used the invention.

11. The extent to which the infringer has made use of the invention; and any evidence probative of the value of that use.

12. The portion of the profit or of the selling price that may be customary in the particular business or in comparable businesses to allow for the use of the invention or analogous inventions.

13. The portion of the realizable profit that should be credited to the invention as distinguished from non-patented elements, the manufacturing process, business risks, or significant features or improvements added by the infringer.

14. The opinion testimony of qualified experts.

15. The amount that a licensor (such as the patentee) and a licensee (such as the infringer) would have agreed upon (at the time the infringement began) if both had been reasonably and voluntarily trying to reach an agreement; that is, the amount which a prudent licensee – who desired, as a business proposition, to obtain a license to manufacture and sell a particular article embodying the patented invention – would have been willing to pay as a royalty and yet be able to make a reasonable profit and which amount would have been acceptable by a prudent patentee who was willing to grant a license. *Georgia Pacific*, 318 F. Supp. at 1120.

Acushnet contends that Callaway's expert, Mr. Napper, failed to consider the single most important piece of evidence probative of an appropriate reasonable royalty damages award. In particular, Mr. Napper failed to properly consider the testimony of Mr. Arturi, Spalding's General Counsel, as to how much he would have accepted in 2001 to grant Acushnet a license to the patents-in-suit. Accordingly, Mr. Napper's testimony regarding reasonable royalty damages should be excluded.

C. Lost Profits

A patentee can recover lost profits as damages if it proves that “but for” the infringement it would have made the sales in question. Otherwise, a patentee normally recovers damages based on a “reasonable royalty” theory. *Panduit Corp. v. Stahl Bros Fibre Works, Inc.*, 575 F. 2d 1152, 1157 (6th Cir. 1978). “To recover lost profits, the patent owner must show ‘causation in fact,’ establishing that the ‘but for’ the infringement, he would have made additional profits.” *Id.* at 1349. This analysis requires a detailed consideration of the market – it is necessary to determine what would have occurred had there never been any infringement. *Id.* at 1350. While such a market reconstruction is a hypothetical exercise, *Grain Processing* teaches that it must not “laps[e] into pure speculation.” *Id.* Hence, a determination of lost profits “requires sound economic proof of the nature of the market and likely outcomes with infringement factored out of the economic picture.” *Id.*

Moreover, an alleged infringer cannot be considered to have simply stood still in the absence of infringement: “a fair and accurate reconstruction of the ‘but for’ market also must take into account, where relevant, alternative actions the infringer foreseeably would have taken had he not infringed.” *Id.* In particular, “[w]ithout the infringing product, a rational would-be infringer is likely to offer an acceptable noninfringing alternative.” *Id.*

Acushnet contends that Callaway’s expert, Mr. Napper, failed to properly construct the market “but for” Acushnet’s alleged infringement since he, among other flaws, ignored the period of alleged infringement between the time the first patent-in-suit issued (April 2001) and the time from which he claims lost profits (September 2003). Accordingly, Mr. Napper’s testimony regarding lost profits damages should be excluded.

D. Injunctions

35 U.S.C. § 283 states in pertinent part:

The several courts having jurisdiction of cases under this title may grant injunctions in accordance with the principles of equity to prevent the violation of any right secured by patent, on such terms as the court deems reasonable.

“[T]he decision whether to grant or deny injunctive relief rests within the equitable discretion of the district courts, and that such discretion must be exercised consistent with traditional principles of equity. . . .” *eBay, Inc. v. MercExchange, L.L.C.*, 126 S. Ct. 1837, 1841 (2006).

According to well-established principles of equity, a plaintiff seeking a permanent injunction must satisfy a four-factor test before a court may grant such relief. “A plaintiff must demonstrate: (1) that it has suffered an irreparable injury; (2) that remedies available at law, such as monetary damages, are inadequate to compensate for that injury; (3) that, considering the balance of hardships between the plaintiff and defendant, a remedy in equity is warranted; and (4) that the public interest would not be disserved by a permanent injunction.” *Id.* at 1839.

E. Attorneys’ Fees

Issue of law: Whether this is an exceptional case and that Acushnet should be awarded its attorneys’ fees pursuant to 35 U.S.C. § 285.

35 U.S.C. § 285 provides that “[t]he court in exceptional cases may award reasonable attorney fees to the prevailing party.” Determining whether a case is exceptional and whether attorneys’ fees should be granted under 35 U.S.C. § 285 is a two-step process. *Tate Access Floors*, 222 F.3d at 964. The first step is a factual determination whether the case is

exceptional, and in the second step, the Court exercises its discretion to determine whether attorneys' fees should be awarded. *Id.*

Misconduct during litigation and vexatious litigation are types of conduct that can provide a basis for an award of attorneys' under § 285. *Beckman Instruments, Inc. v. LKB Produkter AB*, 892 F.2d 1547, 1551 (Fed. Cir. 1989). A finding that the plaintiff brought or continued a patent infringement suit in bad faith, for example when the patentee knows the patents are invalid, is a proper basis to award attorneys' fees under § 285. *Hughes v. Novi American, Inc.*, 724 F.2d 122, 124-126 (Fed. Cir. 1984).

IV. BREACH OF CONTRACT

Issue of law: Interpretation of the 1996 Settlement Agreement between Acushnet and Spalding, including specifically, a) whether Callaway has enforceable rights under the 1996 Agreement; b) whether the 1996 Agreement prohibits either party from filing reexaminations as to any patent; and c) whether the 1996 Agreement is void as contrary to public policy to the extent it prohibits either party from filing reexaminations.

Exhibit 5

EXHIBIT 5

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

CALLAWAY GOLF COMPANY

V.

CALLAWAY GOLF COMPANYS' EXHIBIT LIST

ACUSHNET COMPANY

C.A. No. 06-91 (SLR)

Callaway Golf Company reserves the right to supplement or otherwise amend this exhibit list.

PRESIDING JUDGE Sue L. Robinson	PLAINTIFF'S ATTORNEYS Frank E. Scherkenbach, Roger Denning, Thomas Halkowski, David Shuman, David Miclean	DEFENDANT'S ATTORNEYS Richard L. Horwitz, David E. Moore, Joseph P. Lavelle, Kenneth Donnelly, Brian Rosenthal, Clint Brannon
TRIAL DATE (S) December 3, 2007	COURT REPORTER	COURTROOM DEPUTY

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-1		United States Patent 6,506,130 (CW 0304589 – 0304604)				
PX-2		United States Patent 6,503,156 (CW 0304828 – 0304844)				
PX-3		United States Patent 6,210,293 (CW 0305030 – 0305043)				
PX-4		United States Patent 6,595,873 (CW 0305297 – 0305312)				
PX-5		US Patent Application 09/832,154 File History				
PX-6		US Patent Application 09/873,642 File History				

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-7		US Patent Application 09/470,196 File History				
PX-8		US Patent Application 09/776,278 File History				
PX-9		US Patent Application 08/863,788 File History (CW 0300601 – 0300660)		402, 403, 802		
PX-10		US Patent Application 09/207690 File History (CW 0322383 - 032246)		402, 403, 802, DISC		
PX-11		US Patent Application 09/625,544 File History (CW 0320853 - 0321264)		402, 403, 802, DISC		
PX-12		US Patent Application 09/274,015 File History (CW 0329641 - 0329977)		402, 403, 802, DISC		
PX-13	2/14/1984	United States Patent 4,431,193 (CW 300568-300572)				
PX-14		United States Patent 4,607,090		402, 403, 802, DISC		
PX-15	06/23/1987	United States Patent 4,674,751 (CW 304134 – CW 304139)				
PX-16		United States Patent 7,090,798 (AC0100489-498)		402, 403, 802		
PX-17		United States Patent 5,885,172 (CW 0300663 – 0300669)				
PX-18		United States Patent 6,267,693 (CW 01785515 - 01785527)				
PX-19		United States Patent 6,150,470		402, 403, 802, DISC		
PX-20		United States Patent 6,433,094		402, 403, 802, DISC		
PX-21		United States Patent 6,561,928		402, 403, 802, DISC		
PX-22		United States Patent 7,086,965 (CW 1788658 – 1788688)		402, 403, 802		
PX-23		United States Patent 7,083,534 (CW 1788639 – 178659)		402, 403, 802		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-24		United States Patent 7,074,138 (CW 1788603 – 1788638)		402, 403, 802		
PX-25		United States Patent 7,026,430 (CW 1788377 – 1788394)		402, 403, 802		
PX-26		United States Patent 6,958,020 (CW 1788377 – 1788154)		402, 403, 802		
PX-27		United States Patent 6,929,568 (CW 17817981 – 1787015)		402, 403, 802		
PX-28		United States Patent 6,902,499		402, 403, 802, DISC		
PX-29		United States Patent 6,824,476		402, 403, 802, DISC		
PX-30		United States Patent 6,716,954		402, 403, 802, DISC		
PX-31		United States Patent 6,663,509		402, 403, 802, DISC		
PX-32		United States Patent 6,648,777		402, 403, 802, DISC		
PX-33		United States Patent 6,638,185		402, 403, 802, DISC		
PX-34		United States Patent 6,623,381		402, 403, 802, DISC		
PX-35		United States Patent 6,616,550		402, 403, 802, DISC		
PX-36		United States Patent 6,599,203		402, 403, 802, DISC		
PX-37		United States Patent 6,595,873				
PX-38		United States Patent 6,585,607		402, 403, 802, DISC		
PX-39		United States Patent 6,495,633		402, 403, 802, DISC		
PX-40		United States Patent 6,476,147		402, 403, 802, DISC		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-41		United States Patent 6,441,095		402, 403, 802, DISC		
PX-42		United States Patent 6,213,894		402, 403, 802		
PX-43		United States Patent 6,204,331		402, 403, 802, DISC		
PX-44		United States Patent 6,057,403		402, 403, 802, DISC		
PX-45		United States Patent 6,015,356		402, 403, 802, DISC		
PX-46		United States Patent 6,667,001		402, 403, 802, DISC		
PX-47		United States Patent 6,616,551		402, 403, 802, DISC		
PX-48		United States Patent 6,612,941		402, 403, 802, DISC		
PX-49		United States Patent 6,435,983		402, 403, 802, DISC		
PX-50		United States Patent 6,416,424		402, 403, 802, DISC		
PX-51		United States Patent 6,394,914		402, 403, 802, DISC		
PX-52		United States Patent 6,394,913		402, 403, 802, DISC		
PX-53		United States Patent 6,368,237		402, 403, 802, DISC		
PX-54		United States Patent 6,325,731		402, 403, 802, DISC		
PX-55		United States Patent 6,319,153		402, 403, 802, DISC		
PX-56		United States Patent 6,315,681		402, 403, 802, DISC		
PX-57		United States Patent 6,277,035		402, 403, 802, DISC		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-58		United States Patent 6,224,498		402, 403, 802, DISC		
PX-59		United States Patent 6,220,972		402, 403, 802, DISC		
PX-60		United States Patent 6,213,894		402, 403		
PX-61		United States Patent 6,152,834		402, 403, 802, DISC		
PX-62		United States Patent 6,149,536		402, 403, 802, DISC		
PX-63		United States Patent 6,117,025		402, 403, 802, DISC		
PX-64		United States Patent 6,042,488		402, 403, 802, DISC		
PX-65		United States Patent 5,971,871		402, 403, 802, DISC		
PX-66		United States Patent 7,217,200		402, 403, 802, DISC		
PX-67		United States Patent 7,148,266		402, 403, 802, DISC		
PX-68		United States Patent 7,118,496		402, 403, 802, DISC		
PX-69		United States Patent 6,935,970		402, 403, 802, DISC		
PX-70		United States Patent 6,855,076		402, 403, 802, DISC		
PX-71		United States Patent 7,232,382		402, 403, 802, DISC		
PX-72		United States Patent 7,208,562		402, 403, 802, DISC		
PX-73		United States Patent 7,192,368		402, 403, 802, DISC		
PX-74		United States Patent 7,182,701		402, 403, 802, DISC		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-75		United States Patent 7,179,177		402, 403, 802, DISC		
PX-76		United States Patent 7,175,543		402, 403, 802, DISC		
PX-77		United States Patent 7,160,210		402, 403, 802, DISC		
PX-78		United States Patent 7,160,207		402, 403, 802, DISC		
PX-79		United States Patent 7,156,755		402, 403, 802, DISC		
PX-80		United States Patent 7,140,981		402, 403, 802, DISC		
PX-81		United States Patent 7,134,974		402, 403, 802, DISC		
PX-82		United States Patent 7,128,864		402, 403, 802, DISC		
PX-83		United States Patent 7,083,534		402, 403, 802, DISC		
PX-84		United States Patent 7,070,726		402, 403, 802, DISC		
PX-85		United States Patent 7,067,081		402, 403, 802, DISC		
PX-86		United States Patent 7,066,843		402, 403, 802, DISC		
PX-87		United States Patent 7,048,534		402, 403, 802, DISC		
PX-88		United States Patent 7,041,008		402, 403, 802, DISC		
PX-89		United States Patent 7,033,157		402, 403, 802, DISC		
PX-90		United States Patent 7,026,430		402, 403, 802, DISC		
PX-91		United States Patent 6,986,721		402, 403, 802, DISC		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-92		United States Patent 6,979,271		402, 403, 802, DISC		
PX-93		United States Patent 6,969,477		402, 403, 802, DISC		
PX-94		United States Patent 6,958,020		402, 403, 802, DISC		
PX-95		United States Patent 6,932,931		402, 403, 802, DISC		
PX-96		United States Patent 6,905,648		402, 403, 802, DISC		
PX-97		United States Patent 6,905,427		402, 403, 802, DISC		
PX-98		United States Patent 6,905,424		402, 403, 802, DISC		
PX-99		United States Patent 6,896,629		402, 403, 802, DISC		
PX-100		United States Patent 6,872,154		402, 403, 802, DISC		
PX-101		United States Patent 6,855,077		402, 403, 802, DISC		
PX-102		United States Patent 6,855,073		402, 403, 802, DISC		
PX-103		United States Patent 6,824,476		402, 403, 802, DISC		
PX-104		United States Patent 6,817,853		402, 403, 802, DISC		
PX-105		United States Patent 6,790,149		402, 403, 802, DISC		
PX-106		United States Patent 6,776,731		402, 403, 802, DISC		
PX-107		United States Patent 6,769,900		402, 403, 802, DISC		
PX-108		United States Patent 6,755,634		402, 403, 802, DISC		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-109		United States Patent 6,716,954		402, 403, 802, DISC, DUP		
PX-110		United States Patent 6,699,027		402, 403, 802, DISC		
PX-111		United States Patent 6,663,508		402, 403, 802, DISC		
PX-112		United States Patent 6,648,777		402, 403, 802, DISC, DUP		
PX-113		United States Patent 6,638,185		402, 403, 802, DISC, CUM, DUP		
PX-114		United States Patent 6,585,607		402, 403, 802, DISC, CUM, DUP		
PX-115		United States Patent 6,548,618		402, 403, 802, DISC		
PX-116		United States Patent 6,533,566		402, 403, 802, DISC		
PX-117		United States Patent 6,520,871		402, 403, 802, DISC		
PX-118		United States Patent 6,517,451		402, 403, 802, DISC		
PX-119		United States Patent 6,290,614		402, 403, 802, DISC		
PX-120		United States Patent 6,287,217		402, 403, 802, DISC		
PX-121		United States Patent 6,083,119		402, 403, 802, DISC		
PX-122		United States Patent 6,220,972		402, 403, 802, DISC, CUM		
PX-123		United States Patent 6,213,894		402, 403, 802, DISC, CUM		
PX-124	5/27/2003	Various Golf Durability Tests (CW00119540 - 00119599)		402, 403, AUTH, F, 802, MULT		
PX-125	11/06/1998	Test Report Summary #1337 requested by Mike Yagley (CW00154902 – 00154903)		402, 403, AUTH, F, 802, CUM		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-126	11/10/1998	Project Status Report re Tour Player Ball Performace Survey (CW 00145904 – 00145905)		402, 403, AUTH, F, 802, CUM, Mischaracterized		
PX-127	1999	Callaway Golf Ball Company Tour Player Test Results (CW00162969 - 00163099)		402, 403, F, AUTH, 802		
PX-128	12/2001	G&C VS Titleist Pro V1 Player Test (CW00519995 - 00520352)		402, 403, F, AUTH, 802		
PX-129	02/2002	G vs Ultimate Player Test (CW00520353 - 00520565)		402, 403, F, AUTH, 802, CUM		
PX-130	07/2003	Hogan Black vs. ProV1x Distance Player Test (CW00521502 - 00521701)		402, 403, F, AUTH, 802, CUM		
PX-131	01/2001	Strata Tour Ulitmate vs. Titlest Pro V1 Test (CW00563861 - 00564080)		402, 403, F, AUTH, 802, CUM		
PX-132	04/2001	Tour Ultimate vs. Pro V1 Offsite (CW00564476 - 00564581)		402, 403, F, AUTH, 802, CUM		
PX-133	06/2002	ProV1 vs Stu G Player Test (CW00578692 - 00578894)		402, 403, F, AUTH, 802, CUM		
PX-134	06/2002	ProV1 vs Hogan Tour Player Test (CW00578895 - 00579087)		402, 403, F, AUTH, 802, CUM		
PX-135	09/2002	Apex DB Offsite Ball Player Test (CW00580038 - 00580350)		402, 403, F, AUTH, 802, CUM, MULT		
PX-136	11/2002	Ultimate X vs CTU30 Red Ball Player Test (CW00580621 - 00580885)		402, 403, 802, CUM, F, AUTH, MULT		
PX-137	08/2003	Titleist ProV1 vs Hogan Player Test (CW00583592 - 00583807)		402, 403, 802, CUM, F, AUTH, MULT		
PX-138	10/2003	Big Bertha Red Cal VSTF Player Test (CW00583808 - 00583993)		402, 403, 802, CUM, F, AUTH, MULT		
PX-139	10/26/2006	Fortune Brand New Release, Titleist Introduces New Pro V1 and New Pro V1x Golf Balls (CW 0280233- 280234)		402, 403, 802, CUM, F, AUTH		
PX-140	3/29/2005	Titleist, News: Media Center: Press Releases, “The Players’ Choice” (CW 0280235-0280236)		402, 403, 802, CUM, F		
PX-141	8/2001	“Right on the SEAM – Titleist Pro V1, golf ball – Evaluation” Golf Digest, by Jamie Diaz (CW 0307375-0307379)		402, 403, 802, CUM, F, AUTH		
PX-142	10/27/2006	“Titlest Advances Golf Ball Leadership Position with Introduction of New High Performance Multi-Component Pro V1”, by Golf Pro-Online. (CW 0280214 - 280217)		402, 403, 802, CUM, F, AUTH		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-143	3/05/2003	"Titlest High Performance Golf Ball Leadership Underscored with Introduction of New Pro V1 and New Pro V1x", The Wire (CW 0280229 - 280232)		402, 403, 802, CUM, F, AUTH		
PX-144		"Callaway's Prospects for Growth and the February 2000 Launch of the Callaway Golf Ball (CW 0280199 - CW 280201)		402, 403, 802, CUM, F, AUTH		
PX-145	4/02/2004	"The Technology of Golf: The Golf Ball", by Andy Brumer (CW 0307401 - 0307406)		402, 403, 802, CUM, F, AUTH		
PX-146		Titlest, News: Media Center, " Top Three at Bay hill. Top Ball Around the World. (CW 0280268 - 0280269)		402, 403, 802, CUM		
PX-147		"Heritage Winner Relies on Pro V1 Golf Ball, Cameron Putter for First Career Victory (CW 0280275 - 0280276)		402, 403, 802, CUM		
PX-148		"Collegiate Players Make Titleist Overwhelming #1 Golf Ball (CW 0280290 - 0280291)		402, 403, 802, CUM		
PX-149		"One Ball. Consecutive Excellence." (CW 0280292 - 028094)		402, 403, 802, CUM		
PX-150		"Titlest Sets Standard as The Overwhelming Tee-To-Green Equipment Choice at 2006 U.S. Junior Amateur Championship", Titlest News: Media Center (CW 0280295 - 0280297)		402, 403, 802, CUM		
PX-151		"Titleist Tops Golf Ball Count at The Open Championship", Titlest News: Media Center (CW 0280298 - 0280299)		402, 403, 802, CUM		
PX-152		"Pavin, Roberts, Karlsson, Taniguchi Lead Titleist to Four – Win Week", Titlest News: Media Center (CW 0280300 - 0280302)		402, 403, 802, CUM		
PX-153		"Over 100 wins and still counting ", Titlest News Media Center (CW 0280303 – 0280305)		402, 403, 802, CUM		
PX-154		"Four Tours. Four Victories. One Ball." , Titlest, News: Media Center (CW 0280306 - 0280307)		402, 403, 802, CUM		
PX-155		" Titlest Tops Golf Ball, Iron, Wedge and Putter Counts at PGA Championship" Titlest: New Media Center, (CW 0280308 - 0280310)		402, 403, 802, CUM		
PX-156		"Titleist is the Overwhelming Tee-to-Green Equipment Favorite at U.S. Amateur, Titlest: New Media Center (CW 0280311 – 0280312)		402, 403, 802, CUM		
PX-157		"Ben Curtis Trusts Titleist from Tee-to Green For Second Win of the Year: (CW 0280313 - 0280314)		402, 403, 802, CUM		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-158		“Local Favorite. World Class Performance” (CW 0280315 – 0280317)		402, 403, 802, CUM		
PX-159		Email to Cavallaro et al from Hebert/Titleist and Foot-Joy Worldwide re Co-Injection Molded Cups - Update (CW 0320910)		402, 403, 802, CUM, F, AUTH, INC, DISC		
PX-160	5/28/2001	Titleist Pro V1 392 Double Cover Solid Core Golf Ball specifications/test results (AC 875 – 77)		402, 403, 802, CUM, INC		
PX-161	1/25/2002	Titleist Pro V1 392 Double Cover Solid Core Golf Ball specifications/test results (AC 878 – 80)		402, 403, 802, CUM, INC		
PX-162	3/12/2002	Titleist Pro V1 392 Double Cover Solid Core Golf Ball specifications/test results (AC 881 – 83)		402, 403, 802, CUM, INC		
PX-163	3/08/2002	Titleist Pro V1 392 Double Cover Solid Core Golf Ball specifications/test results (AC 894 – 96)		402, 403, 802, CUM, INC		
PX-164	11/26/2002	Titleist Pro V1 392 Double Cover Solid Core Golf Ball specifications/test results (AC 897 – 99)		402, 403, 802, CUM, INC		
PX-165	4/04/2003	Titleist Pro V1 392 Double Cover Solid Core Golf Ball specifications/test results (AC 900 – 02)		402, 403, 802, CUM, INC		
PX-166	11/03/2004	Titleist Pro V1 392 Double Cover Solid Core Golf Ball specifications/test results (AC 903 – 05)		402, 403, 802, CUM, INC		
PX-167	11/26/2002	Titleist Pro V1x 332 Double Cover Double Solid Core Golf Ball specifications/test results (AC 906 – 09)		402, 403, 802, CUM, INC		
PX-168	4/04/2003	Titleist Pro V1x 332 Double Cover Double Solid Core Golf Ball specifications/test results (AC 910 – 13)		402, 403, 802, CUM, INC		
PX-169	12/07/1999 - 12/21/1999	E-mail correspondence between Ed Hebert, Jeff Dalton, Paul Puniello re Cost Analysis of Veneer Ball Mantle – Compression vs. injection Molding (AC 4173 – 76)		402, 403, 802		
PX-170	6/07/2004	RPIM molded casing properties test data – 8660 Elimination by P. Puniello (AC 5369 – 73)		402, 403, 802, CUM		
PX-171	7/28/2004	Du Pont Company Customer Specifications for Surlyn Resin 7940 (AC 12368)		AUTH		
PX-172	11/03/2004	Du Pont Company Customer Specifications for Surlyn Resin 8940 (AC 12392)		AUTH		

TRIAL Ex. No.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-173	11/10/2004	Du Pont Company Customer Specifications for Surlyn Resin 7940 (AC 12400 – 01)		AUTH		
PX-174	2/28/2005	Du Pont Company Customer Specifications for Surlyn Resin 7940 (AC 12412 – 13)		AUTH		
PX-175	2/28/2005	Du Pont Company Customer Specifications for Surlyn Resin 8940 (AC 12417)		AUTH		
PX-176	3/21/2005	Du Pont Company Customer Specifications for Surlyn Resin 7940 (AC 12424 – 25)		AUTH		
PX-177	4/14/2005	Du Pont Company Customer Specifications for Surlyn Resin 7940 (AC 12464 – 65)		AUTH		
PX-178	4/14/2005	Du Pont Company Customer Specifications for Surlyn Resin 8940 (AC 12467)		AUTH		
PX-179	4/22/2005	Du Pont Company Customer Specifications for Surlyn Resin 8940 (AC 12473 – 74)		AUTH		
PX-180	5/09/2005	Du Pont Company Customer Specifications for Surlyn Resin 8940 (AC 12482)		AUTH		
PX-181	5/28/2005	Du Pont Company Customer Specifications for Surlyn Resin 9650 (AC 18461)		AUTH, F, UNK		
PX-182	5/09/2005	Du Pont Company Customer Specifications for Surlyn Resin 8920 (AC 18481)		AUTH, F, UNK		
PX-183	10/2004	Pro V1x – 332 Ball Construction specifications from 2000 Manufacturing Guidelines (AC 18502)		402, 403, 802, CUM, INC		
PX-184	12/2000	Pro V1 – 392 Ball Construction specifications from 2000 Manufacturing Guidelines (AC 18529)		402, 403, 802, CUM, INC		
PX-185	11/2004	Pro V1 – 392 Ball Construction specifications from 2004 Manufacturing Guidelines (AC 18550)		402, 403, 802, CUM, INC		
PX-186	11/2002	Pro V1 – 392 Ball Construction specifications from 2002 Manufacturing Guidelines (AC 18573)		402, 403, 802, CUM, INC		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-187	12/2002	Pro V1x – 332 Ball Construction specifications from 2002 Manufacturing Guidelines (AC 18594)		402, 403, 802, CUM, INC		
PX-188	10/2004	Pro V1x – 332 Ball Construction specifications from 2004 Manufacturing Guidelines (AC 18619)		402, 403, 802, CUM, INC		
PX-189		Improved Pro V1* (will be 332) Specification/Description (AC 19048 – 49)		402, 403, 802, CUM, AUTH		
PX-190	8/09/2000	E-mail Correspondence from Chris Cavallaro re Veneer Ball update (AC 19642 – 43)		402, 403, 802, CUM		
PX-191	8/2000	Pro V1 – 392 August 2000 Manufacturing Guidelines for Ball Plants I & II (AC 19804 – 25)		402, 403, 802, CUM		
PX-192	12/2000	Pro V1 – 392 December 2000 Ball Construction Manufacturing Guidelines for Ball Plants I & II (AC 20440)		402, 403, 802, CUM, INC, UNK		
PX-193	12/2000	Pro V1 – 392 December 2000 Mantle Blending Manufacturing Guidelines for Ball Plants I & II (AC 20449)		402, 403, 802, CUM, INC, UNK		
PX-194	8/2000	Pro V1 – 392 August 2000 Ball Construction Manufacturing Guidelines for Ball Plants I & II (AC 20478)		402, 403, 802, CUM, INC, UNK		
PX-195	8/2000	Pro V1 – 392 August 2000 Mantle Blending Manufacturing Guidelines for Ball Plants I & II (AC 20486)		402, 403, 802, CUM, INC, UNK		
PX-196	1/2001	Titleist Solid Construction Golf Ball Specification chart for Pro V1 392 (AC 26632.UR)		402, 403, 802, CUM, F, AUTH		
PX-197	2/2003	Titleist Solid Construction Golf Ball Specification chart for Pro V1 392, Pro V1x 332, NXT Tour, NXT, and DT (AC 26635.UR)		402, 403, 802, CUM, F, AUTH		
PX-198	5/2004	Titleist Solid Construction Golf Ball Specification chart for Pro V1 392, Pro V1x 332, NXT Tour, NXT, and DT (AC 26637)		402, 403, 802, CUM, F, AUTH		
PX-199	2002	Titleist Pro V1 392 and Pro V1x 332 ball test results (AC 55594 – 95)		402, 403, 802, CUM, F, AUTH		
PX-200	12/04/2002	Titleist Pro V1 392 Shore D Test Results (AC 55742)		402, 403, 802, CUM, F, AUTH, INC		
PX-201	12/04/2002	Titleist Pro V1x332 Shore D Test Results (AC 55744)		402, 403, 802, CUM, F, AUTH, INC		
PX-202	12/13/2002	Titleist Pro V1 392 (inner cover) Shore D Test Results (AC 55764 – 65)		402, 403, 802, CUM, F, AUTH, INC		
PX-203	2003	Titleist Pro V1 392 and Pro V1x 332 ball test results (AC 57383 – 84)		402, 403, 802, CUM, F, AUTH, UNK		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-204	3/14/2003	Titleist Pro V1 392 (ball) Shore D Test Results (AC 57424 – 42)		402, 403, 802, CUM, F, AUTH, MULT		
PX-205	2003	Titleist Pro V1x 332 (ball) Shore D and Shore C Test Results (AC 57444 – 62)		402, 403, 802, CUM, F, AUTH, MULT		
PX-206	2003	Titleist Pro V1 392 (inner cover) Shore D Test Results (AC 57694 – 703)		402, 403, 802, CUM		
PX-207	2003	Titleist Pro V1x 332 (inner cover) Shore D and Shore C Test Results (AC 57704 – 13)		402, 403, 802, CUM, F, AUTH, MULT		
PX-208	12/2004 – 1/2005	Titleist Pro V1 392 (ball) Shore D & Shore C Test Results (AC 59632 – 42)		402, 403, 802, CUM		
PX-209	12/2004 - 1/2005	Titleist Pro V1 392 (inner cover) Shore D Test Results (AC 59681 – 86)		402, 403, 802, CUM, F, AUTH		
PX-210	12/2004 – 1/2005	Titleist Pro V1x 332 (ball) Shore D and Shore C Test Results (AC 59777 – 87)		402, 403, 802, CUM, F, AUTH, MULT		
PX-211	12/2004 – 1/2005	Titleist Pro V1 392 (inner cover) Shore D Test Results (AC 59826 – 31)		402, 403, 802, CUM, F, AUTH, MULT		
PX-212	2005	Titleist Pro V1 392 (ball) Shore D & Shore C Test Results (AC 59948 – 56)		402, 403, 802, CUM, F, AUTH, MULT		
PX-213	2005	Titleist Pro V1x 332 (ball) Shore D and Shore C Test Results (AC 59965 – 68)		402, 403, 802, CUM, F, AUTH		
PX-214		Titleist Ball Thickness Chart (AC 59901)		402, 403, 802, CUM, INC, AUTH, MULT		
PX-215	6/19/2006	Acushnet Resps to Callaways 1st Set of Rogs - Nos 1-11		402, 403, 802		
PX-216	1/31/2007	Acushnet Suppl Resps To Callaway 1st Set Of Rogs To Acushnet No 2		402, 403, 802		
PX-217	2/02/2007	Acushnet 2nd Suppl Resp to Callaway 1st Set of Rogs No 2		402, 403, 802		
PX-218	4/30/2007	Acushnet Suppl Resps to Callaway 1st Set Of Rog To Acushnet Nos 1 3-5 8 and 10.pdf		402, 403, 802		
PX-219	05/04/2007	Acushnet Objections and Resps to Callaway 2nd Set of Rogs - Nos. 12-33		402, 403, 802		
PX-220	9/10/2007	Acushnet Suppl Resps To Callaway 1st and 2nd Set pf Rogs To Acushnet - Nos 2-4 8 12-14 25 26 and 28		402, 403, 802		

TRIAL EX. No.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-221	12/09/1998	U.S. Patent Application No. 09/207,690 (AC 0100168 – AC0100203)		402, 403, 802, CUM, INC, F, AUTH		
PX-222		U.S. Patent Application No. 98/207,690 File History (AC0100237 – AC 0100342)		402, 403, 802, CUM, INC, F, AUTH		
PX-223		U.S. Patent Application No. 11/260,169 (AC0100403 – AC0100462)		402, 403, 802, CUM, INC, F, AUTH		
PX-224	7/25/2005	U.S. Patent Application No. 09/270,015 (AC0100463 - AC 0100767)		402, 403, 802, CUM, INC, F, AUTH		
PX-225		U.S. Patent No. 6,749,789 (AC0100768 - AC0100809)		402, 403, 802, CUM		
PX-226	5/27/1997	U.S. Patent Application No. 08/863,788 (AC0100810 – AC0100900)		402, 403, 802, CUM, INC, F, AUTH		
PX-227	N/A	Ball testing results (AC000015-023)		402, 403, 802, F, INC, MULT		
PX-228	2/19/2002	Email fr Elliot to Cavallaro re CN for ZnPCTP (AC0046073.UR-0046074.UR)		402, 403, 802, CUM		
PX-229	05/2003	Titleist Pro V1 Family, NXT, DT Solid Balls, New Pinnacle Balls chart from 1999-2003 (AC0046764.UR-0046768.UR)		402, 403, 802, CUM		
PX-230	9/20/2001	Email chain between Harris, Wu, Kramer, Isaac et al. re: Question on Storage Conditions (AC0022011-0022013)		402, 403, 802, CUM		
PX-231	12/30/2000	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated /US (December 2000) (AC0043849-0043865)		402, 403, 802, CUM		
PX-232	12/29/2001	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (December 2001) (AC0043866-0043881)		402, 403, 802, CUM		
PX-233	12/29/2001	Titleist and Foot-Joy Worldwide Product Analysis Division 03-Consolidated/International (December 2001) (AC0043882-0043887)		402, 403, 802, CUM		
PX-234	1/01/2003	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (2002) (AC0043888-0043902)		402, 403, 802, CUM		
PX-235	1/01/2003	Titleist and Foot-Joy Worldwide Product Analysis Division 03-Consolidated/International (December 2002) (AC0043903-0043908)		402, 403, 802, CUM		
PX-236	2/23/2004	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (December 2003) (AC0043909-0043923)		402, 403, 802, CUM		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-237	2/23/2004	Titleist and Foot-Joy Worldwide Product Analysis Division 03-Consolidated/International (December 2003) (AC0043924-0043926)		402, 403, 802, CUM		
PX-238	2/23/2004	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (January 2004) (AC0043929-0043935)		402, 403, 802, CUM		
PX-239	2/23/2004	Titleist and Foot-Joy Worldwide Product Analysis Division 03-Consolidated/International (January 2004) (AC0043936-0043938)		402, 403, 802, CUM		
PX-240	2/28/2004	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (February 2004) (AC0043939-0043946)		402, 403, 802, CUM		
PX-241	2/29/2004	Titleist and Foot-Joy Worldwide Product Analysis Division 03-Consolidated/International (February 2004) (AC0043947-0043949)		402, 403, 802, CUM		
PX-242	4/01/2004	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (March 2004) (AC0043950-0043958)		402, 403, 802, CUM		
PX-243	4/01/2004	Titleist and Foot-Joy Worldwide Product Analysis Division 03-Consolidated/International (March 2004) (AC 0043959-0043961)		402, 403, 802, CUM		
PX-244	5/01/2004	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (April 2004) (AC0043962-0043971)		402, 403, 802, CUM		
PX-245	5/01/2004	Titleist and Foot-Joy Worldwide Product Analysis Division 03-Consolidated/International (April 2004) (AC0043972-0043974)		402, 403, 802, CUM, INC, F, ILL		
PX-246	5/29/2004	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (May 2004) (AC0043975-0043984)		402, 403, 802, CUM, INC, F, ILL		
PX-247	5/29/2004	Titleist and Foot-Joy Worldwide Product Analysis Division 03-Consolidated/International (May 2004) (AC0043985-0043987)		402, 403, 802, CUM		
PX-248	7/04/2004	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (June 2004) (AC0043988-0043998)		402, 403, 802, CUM		
PX-249	7/31/2004	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (AC0044002-0044015)		402, 403, 802, CUM		
PX-250	9/01/2004	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (August 2004) (AC0044016-0044027)		402, 403, 802, CUM, INC, F, ILL		
PX-251	9/01/2004	Titleist and Foot-Joy Worldwide Product Analysis Division 03-Consolidated/International (August 2004) (AC0044028-0044031)		402, 403, 802, CUM		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-252	10/01/2004	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (September 2004) (AC0044032-0044043)		402, 403, 802, CUM		
PX-253	10/30/2004	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (October 2004) (AC0044048-0044059)		402, 403, 802, CUM		
PX-254	10/30/2004	Titleist and Foot-Joy Worldwide Product Analysis Division 03-Consolidated/International (October 2004) (AC044060-044063)		402, 403, 802, CUM, INC, F, ILL		
PX-255	12/01/2004	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (November 2004) (AC0044064-0044075)		402, 403, 802, CUM		
PX-256	12/01/2004	Titleist and Foot-Joy Worldwide Product Analysis Division 03-Consolidated/International (November 2004) (AC0044076-44079)		402, 403, 802, CUM		
PX-257	12/31/2004	Titleist and Foot-Joy Worldwide Product Analysis Division 03-Consolidated/International (December 2004) (AC0044093-44096)		402, 403, 802, CUM		
PX-258	02/02/2005	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (January 2005) (AC0044097-0044103)		402, 403, 802, CUM, INC, F, ILL		
PX-259	02/02/2005	Titleist and Foot-Joy Worldwide Product Analysis Division 03-Consolidated/International (January 2005) (AC0044104-0044106)		402, 403, 802, CUM		
PX-260	3/01/2005	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (February 2005) (AC0044107-0044115)		402, 403, 802, CUM		
PX-261	3/01/2005	Titleist and Foot-Joy Worldwide Product Analysis Division 03-Consolidated/International (February 2005) (AC0044116-0044118)		402, 403, 802, CUM		
PX-262	4/01/2005	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (March 2005) (AC0044119-0044128)		402, 403, 802, CUM		
PX-263	4/01/2005	Titleist and Foot-Joy Worldwide Product Analysis Division 03-Consolidated/International (March 2005) (AC0044129-0044131)		402, 403, 802, CUM		
PX-264	4/30/2005	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (April 2005) (AC0044132-0044142)		402, 403, 802, CUM		
PX-265	4/30/2005	Titleist and Foot-Joy Worldwide Product Analysis Division 03-Consolidated/International (April 2005) (AC0044143-0044145)		402, 403, 802, CUM		
PX-266	6/01/2005	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (May 2005) (AC0044146-0044157)		402, 403, 802, CUM		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-267	6/01/2005	Titleist and Foot-Joy Worldwide Product Analysis Division 03-Consolidated/International (May 2005) (AC0044158-0044161)		402, 403, 802, CUM		
PX-268	7/01/2005	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (June 2005) (AC0044162-0044174)		402, 403, 802, CUM		
PX-269	7/01/2005	Titleist and Foot-Joy Worldwide Product Analysis Division 03-Consolidated/International (June 2005) (AC0044175-0044178)		402, 403, 802, CUM		
PX-270	7/30/2005	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (July 2005) (AC0044179-0044191)		402, 403, 802, CUM		
PX-271	9/01/2005	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (August 2005) (AC0044192-0044204)		402, 403, 802, CUM		
PX-272	9/01/2005	Titleist and Foot-Joy Worldwide Product Analysis Division 03-Consolidated/International (August 2005) (AC0044205-0044208)		402, 403, 802, CUM		
PX-273	10/01/2005	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (September 2005) (AC0044209-0044221)		402, 403, 802, CUM		
PX-274	10/01/2005	Titleist and Foot-Joy Worldwide Product Analysis Division 03-Consolidated/International (September 2005) (AC0044222-44225)		402, 403, 802, CUM		
PX-275	11/01/2005	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (October 2005) (AC0044226-0044240)		402, 403, 802, CUM		
PX-276	11/01/2005	Titleist and Foot-Joy Worldwide Product Analysis Division 03-Consolidated/International (October 2005) (AC0044241-0044244)		402, 403, 802, CUM		
PX-277	12/01/2005	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (November 2005) (AC0044245-0044259)		402, 403, 802, CUM		
PX-278	12/31/2005	Titleist and Foot-Joy Worldwide Product Analysis Division 01-Consolidated/US (December 2005) (AC0044260-0044274)		402, 403, 802, CUM		
PX-279	2005-12-31	Titleist and Foot-Joy Worldwide Product Analysis Division 03-Consolidated/International (December 2005) (AC0044275-44279)		402, 403, 802, CUM		
PX-280	5/30/2002	Titleist Pro V1 Inner Cover, Shore D Test Results (AC0054980)		402, 403, 802, CUM, INC		
PX-281	5/30/2002	Titleist Pro V1 (star) Inner Cover, Shore D Test Results (AC0054981)		402, 403, 802, CUM, INC		
PX-282		Competitive Ball Technical Profile (CW 0125880-0125881)		802, F, AUTH		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-283	10/24/2000	Email fr Yagley to Bartels, Goodman, Catania Re Titleist Tear Down Data (CW 0125934)		802, 1006, INC		
PX-284	9/2000	Materials Buyers' Guide Polyethylene (CW 0181213)		402, 403, 802, INC, F, AUTH, UNK		
PX-285		Thermoplastic Elastomers Table IV (CW 0182212-0182215)		402, 403, 802, INC, F, AUTH, MULT		
PX-286		Polyethylene Greffe – Grafted Polyethylene (CW 0182222-2224)		402, 403, 802, AUTH		
PX-287		CB-3 Second DOE Model PW vs High Speed Driver Spin (CW 0182383-0182386)		402, 403, 802, INC, AUTH		
PX-288		Technical Meeting Agenda (CW 00111411-00111412)		402, 403, 802, INC, AUTH		
PX-289		Ball Testing Data (CW 0000015-000023)		402, 403, 802, INC, AUTH, MULT, ILL		
PX-290	3/19/2001	Letter fr Steven C. McCracken to Joseph Nauman re Draft License Agreement (CW 0274433-0274460)		402, 403, 408, 802, CUM, AUTH		
PX-291	2/15/2001	Email fr Steve McCracken to Lisa Lafleur, cc'd Nauman, discussing and attaching draft Callaway Golf discussion proposal – patent license (CW 0274461-0274464)		402, 403, 408, 802, CUM, AUTH		
PX-292	2/16/2001	Email fr McCracken to Nauman, Lafleur, discussing and attaching draft Callaway Golf discussion proposal – patent license (CW 0274465-0274468)		402, 403, 408, 802, CUM, AUTH		
PX-293	3/02/2001	Email fr Nauman to McCracken discussing and attaching Patent License Agreement (CW 0274469-0274490)		402, 403, 408, 802, CUM, AUTH		
PX-294	5/13/2003	Fax fr Nauman to McCracken re April 2001 license agreement (CW 0274491-0274993)		402, 403, 408, 802, CUM, AUTH		
PX-295	5/23/2003	Letter fr McCracken to Nauman re April 4, 2001 License Agreement (CW 0274494-0274497)		402, 403, 408, 802, CUM, AUTH		
PX-296	6/03/2003	Fax fr Nauman to McCracken discussing License Agreement (CW 0274498-0274500)		402, 403, 408, 802, CUM, AUTH		
PX-297	2/09/2001	Letter fr McCracken to Nauman, cc'd Mike Catania, re Ball Patents (CW 0274501-0274502)		402, 403, 408, 802, CUM, AUTH, INC		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-298	2/08/2001	Fax fr Catania to Acushnet Company: Attn Troy Lester, re dimple patent application claims (CW 0274505)		402, 403, 408, 802, AUTH		
PX-299	2/07/2001	Fax fr Catania to Acushnet: Attn Lester, re Claims directed to dimple surface coverage (CW 0274506-0274509)		402, 403, 408, 802, AUTH		
PX-300	2/07/2001	Fax fr Lester to Catania re claims directed to dimple surface coverage (CW 0274510-0274514)		402, 403, 408, 802, CUM, AUTH, MULT, INC		
PX-301	2/05/2001	Fax fr Nauman to McCracken re January proposal of full protection for the CB1 model golf ball attaching Acushnet/Callaway Agreement in Principal –patent license (CW 0274515-0274518)		402, 403, 408, 802, CUM, AUTH		
PX-302	1/23/2001	Fax fr Nauman to McCracken re attaching and discussing draft proposed license (CW 0274519-0274521)		402, 403, 408, 802, CUM, AUTH		
PX-303	1/17/2001	Fax fr Catania to Acushnet Company: Attn Nauman, re Settlement Negotiations discussing claims for 09/296,197 (CW 0274522-0274526)		402, 403, 408, 802, CUM, AUTH		
PX-304	1/17/2001	Letter fr Catania to Lester re Confidentiality Agreement and three of the New Golf Balls (CW 0274527-0274529)		402, 403, 408, 802, CUM, AUTH, INC		
PX-305	1/17/2001	Fax fr Lester to Catania re Acushnet Patents (CW 0274530-0274532)		402, 403, 408, 802, CUM, AUTH		
PX-306	1/17/2001	Fax fr Catania to Acushnet: Attn Nauman, re Settlement Negotiations attaching draft Confidentiality Agreement (CW 0274533-0274534)		402, 403, 408, 802, CUM, AUTH		
PX-307	1/17/2001	Fax fr Catania to Acushnet: Attn Lester, re Settlement Negotiations attaching draft Confidentiality Agreement (CW 0274535-0274536)		402, 403, 408, 802, CUM, AUTH		
PX-308	1/11/2001	Fax fr Catania to Acushnet: Attn Nauman, re Settlement Negotiations and attaching Callaway Golf Discussion Proposal (CW 0274537-0274539)		402, 403, 408, 802, CUM, AUTH		
PX-309	1/05/2001	Letter fr Catania to Lester re Acushnet Patents (CW 0274540-0274541) [Subject to FRE 408]		402, 403, 408, 802, CUM, AUTH		
PX-310	1/02/2001	Fax from Lester to Catania re Acushnet Golf Ball Patents (CW 0274542-0274545) [Subject to FRE 408]		402, 403, 408, 802, CUM, AUTH		
PX-311	12/27/2000	Letter fr Catania to Nauman re Acushnet Patents (CW 0274546 - 274548) [Subject to FRE 408]		402, 403, 408, 802, CUM, AUTH		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-312	12/21/2000	Letter from Catania to Nauman re Acushnet Patents (CW 0274549-274551) [Subject to FRE 408]		402, 403, 408, 802, CUM, AUTH		
PX-313	12/21/2000	Fax fr Catania to Acushnet: Attn Nauman, re Settlement Negotiations (CW 0274552-0274553)		402, 403, 408, 802, CUM, AUTH, INC		
PX-314	12/19/2000	Letter fr Catania to Nauman re Acushnet Patents (CW 0274554-0274555)		402, 403, 408, 802, CUM, AUTH		
PX-315	12/15/2000	Fax fr Catania to Acushnet: Attn Nauman, re Settlement Negotiations (CW 0274556)		402, 403, 408, 802, CUM, AUTH		
PX-316	12/18/2000	Fax fr Nauman to McCracken discussing and attaching patent proposal (CW 0274557-0274560)		402, 403, 408, CUM		
PX-317	12/15/2000	Letter fr Catania to Nauman re Acushnet Patents – discussing and attaching claim charts and US Patent 3,112,521 (CW 0274561 -0274586)		402, 403, 408, 802, CUM, AUTH, MULT		
PX-318	12/08/2000	Letter fr Lester to Catania re Acushnet Golf Ball Patents – infringement of Acushnet’s polyurethane process patents attaching evaluation of claim charts (CW 0274587-0274603) [Subject to FRE 408]		402, 403, 408, 802, CUM, AUTH, MULT		
PX-319	12/01/2000	Letter fr Catania to Nauman re Acushnet Patents attaching dimple pattern drawing and meeting agenda (CW 0274621-0274624)		402, 403, 408, 802, CUM, AUTH, MULT		
PX-320	11/02/2000	Letter fr Catania to Nauman re Meeting agenda for Carlsbad (CW0274625-0274626)		402, 403, 408, 802		
PX-321	8/17/2000	Email fr Steve Aoyama to Bill Morgan, cc’d Jeff Dalton, re V1 vs. Callaway Red headwind issues in T200066 (AC0000584-0000585)		402, 403, 802, CUM		
PX-322	4/18/2000	Email fr Aoyama to Morgan, Dalton, Hebert, Chris Cavallaro, Megan Morgan, Bill Barry, cc’d Kevin Harris, David Bulpett, re Venser vs. Callaway test 200030 (AC0019513-0019514)		402, 403, 802, CUM		
PX-323	5/01/2001	Testing data – Ball Type: Callaway Red for Testing (AC0020226)		402, 403, 802, CUM, INC, AUTH		
PX-324		Testing data – Callaway Red (AC0020227)		402, 403, 802, CUM, INC, AUTH		
PX-325	5/01/2001	Testing data – Callaway Red data sheet, Measurement Type: Shore D (AC0020228)		402, 403, 802, CUM, INC, AUTH		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-326	2/28/2001	Email fr Bill Morgan to Megan Morgan, Hebert, cc'd Dalton, Cavaliaro, re Pro V1 Covers (includes email chain w/testing data) (AC0020416.UR-0020459.UR)		402, 403, 802, CUM, MULT		
PX-327		Presentation – Urethane Performance Balls – Test results (AC0022839-0022893)		402, 403, 802, CUM		
PX-328	6/14/2001	Distance Request Form – Test Title: Redacted, Test Number: 200152, Test Purpose: Redacted, Requested for: Mike Jordan (AC0025320-0025323)		402, 403, 802, CUM		
PX-329	6/14/2001	Distance Request Form – Test Title: Redacted, Test Number: 200153, Test Purpose: Compare NXT Tour and...vs Competitive products, Requested for: Mike Jordan (AC0025324-0025327)		402, 403, 802, CUM		
PX-330	12/14/2001	Distance Request Form – Test Title: Paint Application Study Part 7 – Prime Coats Vary Part D, Test Number: 200215, Requested for: Hogge (AC0025328-0025329)		402, 403, 802, CUM		
PX-331	12/14/2001	Distance Request Form – Test Title: Paint Application Study Part 8, Test Number: 200216, Requested for: Hogge (AC0025330-0025331)		402, 403, 802, CUM		
PX-332	1/21/2002	Distance Request Form – Test Title: Callaway HX balls vs key Competitors and Titleist, Test Number: 2002003, Requested for: Jason Williams (AC0025332-0025335)		402, 403, 802, CUM		
PX-333	2/07/2002	Distance Request Form – Test Title: New Wilson vs Titleist, Test Number: 2002004, Requested for: Bill Morgan (AC0025336-0025338)		402, 403, 802, CUM		
PX-334	2/11/2002	Distance Request Form – Test Title: Improved Spraylat Paint System, Test Number: 2002005, Requested for: Hogge (AC0025339-0025340)		402, 403, 802, CUM		
PX-335	2/19/2002	Distance Request Form – Test Title: Precept vs Titleist and Competitors, Test Number: 2002006, Requested for: Jason Williams (AC0025341-0025343)		402, 403, 802, CUM		
PX-336	3/26/2002	Distance Request Form – Test Title: Strata Tour Ultimate 2 vs Titleist – Renumbered as Distance/Spin 2002017, Test Number: 2002012, Requested for: Jason Williams, (AC0025344-0025345)		402, 403, 802, CUM		
PX-337	4/05/2002	Distance Request Form – Test Title: Improved Spraylat Paint System – Retest with “New” Balls, Test Number: 2002015, Requested for: Hogge (AC0025346-0025347)		402, 403, 802, CUM		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-338	7/30/2002	Distance Request Form – Test Number: 2002021, Test Purpose: Determination of edge angle for these balls in 392x5 to 81.5% coverage, Requested for Doug Jones (AC0025348-0025350)		402, 403, 802, CUM		
PX-339	8/08/2002	Distance Request Form – Test Title: 332x7 with various amounts of polar dimple adjustments, Test Number 2002022, Requested for Doug Jones (AC0025351-0025352)		402, 403, 802, CUM		
PX-340	9/17/2002	Distance Request Form – Test Number: 2002023, Test Purpose: Rehit of DS2002064 using Hob's 881 and 882, Requested by: Mark Joaquin (AC0025353-0025354)		402, 403, 802, CUM		
PX-341	10/03/2002	Distance Request Form – Test Title: Pro V1 392-5 Hob, Test Number: 2002024, Requested for Bill Morgan (AC0025355-0025357)		402, 403, 802, CUM		
PX-342	10/08/2002	Distance Request Form – Test Title: 2 nd look at Spraylat vs PPG Solvent on 332x, Test Number: 2002025, Requested for: Doug Jones (AC0025358-0025359)		402, 403, 802, CUM		
PX-343	10/14/2002	Distance Request Form – Test Title: 332x (7) in current water-based paint system NOW IS DS2002088, Test Number: 2002026, Requested for: Doug Jones (AC0025360-0025361)		402, 403, 802, CUM		
PX-344	7/11/2003	Distance Request Form – Test Title: Cancelled 7/30 (per Hogge) – Consolidation: Effect of Paint Process Changes on Pro V1 Performance, Test Number: 2003002, Requested for: Hogge, (AC0025362-0025363)		402, 403, 802, CUM		
PX-345	4/22/2002	Email fr Bill Morgan to Jeff Dalton, cc'd Product Development Engineers, Kevin Harris, Larry Bissonnette, Mike Sullivan, Ed Hebert, re Notes from Product Development & Aerodynamics Update 4/16 & 1/17/02 (AC0030580-0030584)		402, 403, 802, CUM		
PX-346		Presentation – New Pro V1 Product Summary (AC0034491.UR-0034507.UR)		802, AUTH, INC, F, CUM		
PX-347		Ball type comparison testing data in terms of Driver Distance, Variation, Impact Areas (AC0045965.UR-0045973.UR)		802, AUTH, INC, F, CUM		
PX-348	8/26/2002	Distance and Spin Request Form – Test Title: 175 Bomb: 1 st true prototypes (solvent paint), Test Number: 2002062, Requested For: Doug Jones (AC0046340.UR-0046343.UR)		402, 403, 802, CUM		
PX-349		Construction data (relating to various ball types) (AC0048669-0048685)		402, 403, 802, F, CUM, MULT, AUTH, INC		
PX-350	2005	Report – 2005 Competitive Ball Review (AC0049052-0049120)		402, 403, 802, CUM, AUTH		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-351		Sales document – Titleist describing their process for providing test results in the competitive report (AC0049698-0049700)		402, 403, 802, AUTH, CUM		
PX-352	2002	Titleist Pro V1 392 testing data – Log # 2002008 (AC0054080)		402, 403, F, 802, CUM, INC		
PX-353	2002	Titleist Pro V1 Star testing data – Log # 2002009 (AC0054081)		402, 403, F, 802, CUM, INC		
PX-354	2002	Callaway CTU 30 Red testing data – Log # 2002018 (AC0054090)		402, 403, F, 802, CUM		
PX-355	2002	Callaway CTU 30 Blue testing data – Log # 2002019 (AC0054091)		402, 403, F, 802, CUM		
PX-356	2002	Callaway HX Red testing data – Log # 2002020 (AC0054092)		402, 403, F, 802, CUM		
PX-357	2002	Callaway HX Blue testing data – Log # 2002021 (AC0054093-0054096)		402, 403, F, 802, CUM		
PX-358	2002	Callaway CB1 Red testing data – Log # 2002026 (AC0054098)		402, 403, F, 802, CUM		
PX-359	2002	Callaway CB1 Blue testing data – Log # 2002027 (AC0054099)		402, 403, F, 802, CUM		
PX-360	2/12/2002	Pro V1 392 (core) testing data – Log # 2002008 (AC0054329)		402, 403, F, 802, CUM		
PX-361	2/12/2002	Titleist Pro V1 Star (core) testing data – Log # 2002009 (AC0054330)		402, 403, F, 802, CUM		
PX-362	2/12/2002	Callaway CTU 30 Red (core) testing data – Log # 2002018 (AC0054339)		402, 403, F, 802, CUM		
PX-363	2/12/2002	Callaway CTU 30 Blue (core) testing data – Log # 2002019 (AC0054340)		402, 403, F, 802, CUM		
PX-364	4/05/2002	Callaway HX Red (core) testing data – Log # 2002020 (AC0054341)		402, 403, F, 802, CUM		
PX-365	4/05/2002	Callaway HX Blue (core) testing data – Log # 2002021 (AC0054342)		402, 403, F, 802, CUM		
PX-366	4/22/2002	Email fr Bill Morgan to Jeff Dalton, cc'd Product Development Engineers, Kevin Harris, Larry Bissonnette, Mike Sullivan, Ed Hebert, re Notes from Product Development & Aerodynamics Update 4/16 & 4/17/02 (notes provided in email) (AC0102504.UR-0102508.UR)		402, 403, F, 802, CUM, DUP		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-367		Presentation – New Titleist Pro V1 and Pro V1x, by Bill Morgan (AC0116445-0116469)		402, 403, F, 802, CUM		
PX-368	10/03/2006	Distance and Spin Request Form, Test Title: 2007 Pro V1, Pro V1x vs. Competitive Tour balls, Test Number: 2006073, Requested for: Bill Morgan (AC0116775)		402, 403, F, 802, CUM, INC		
PX-369	8/2000	Acushnet Company – Veneer (Pro V1 – 392), Manufacturing Guidelines Manual, Ball Plants I & II (AC0020477.UR-0020495.UR)		402, 403, F, 802, CUM		
PX-370	12/23/2002	Email fr Doug Jones to William Brum, (along with 30 additional recipients from Acushnet, and 11 more individuals from Acushnet cc'd) re New Pro V1 and Pro V1x Platform Team Minutes 12/18/02 (minutes provided in the email) (AC0029935.UR-0029936.UR)		402, 403, F, 802, CUM		
PX-371	10/21/1996	Publication – Conforming Golf Balls, as approved by The United States Golf Association and The Royal and Ancient Golf Club of St. Andrews, Scotland (AC0040483-0040495)		402, 403, F, 802, CUM		
PX-372	1/2006	Acushnet Company – Pro V1-392 (Japan) Manufacturing Guidelines, Ball Plant III (AC0065364.UR-0065392.UR)		402, 403, F, 802, CUM		
PX-373	09/27/2002	Acushnet Intra-Company Correspondence fr Rick Rudzik to Distribution list re MRC Meeting Minutes – 9/25/02 (AC0066040.UR-0066047.UR)		402, 403, F, 802, CUM		
PX-374	2/02/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Jan. 2006) (AC0119833-0119834)		402, 403, F, 802, CUM		
PX-375	2/02/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Jan. 2006) (AC0119835)		402, 403, F, 802, CUM		
PX-376	2/02/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Jan. 2006) (AC0119836)		402, 403, F, 802, CUM		
PX-377	3/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Feb. 2006) (AC0119837-0119838)		402, 403, F, 802, CUM		
PX-378	3/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Feb. 2006) (AC0119839-0119840)		402, 403, F, 802, CUM		
PX-379	3/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Feb. 2006) (AC0119841)		402, 403, F, 802, CUM		
PX-380	4/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Mar. 2006) (AC0119842-0119843)		402, 403, F, 802, CUM		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-381	4/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Mar. 2006) (AC0119844)		402, 403, F, 802, CUM		
PX-382	4/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Mar. 2006) (AC0119845-0119846)		402, 403, F, 802, CUM		
PX-383	4/30/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Apr. 2006) (AC0119847-0119848)		402, 403, F, 802, CUM		
PX-384	4/30/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Apr. 2006) (AC0119849)		402, 403, F, 802, CUM		
PX-385	4/30/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Apr. 2006) (AC0119850-0119851)		402, 403, F, 802, CUM		
PX-386	6/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (May 2006) (AC0119852-0119854)		402, 403, F, 802, CUM		
PX-387	6/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (May 2006) (AC0119855)		402, 403, F, 802, CUM		
PX-388	6/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (May 2006) (AC0119856-0119857)		402, 403, F, 802, CUM		
PX-389	7/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Jun. 2006) (AC0119858-0119860)		402, 403, F, 802, CUM		
PX-390	7/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Jun. 2006) (AC0119861)		402, 403, F, 802, CUM		
PX-391	7/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Jun. 2006) (AC0119862-0119863)		402, 403, F, 802, CUM		
PX-392	8/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Jul. 2006) (AC0119864-0119866)		402, 403, F, 802, CUM		
PX-393	8/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Jul. 2006) (AC0119867)		402, 403, F, 802, CUM		
PX-394	8/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Jul. 2006) (AC0119868-0119869)		402, 403, F, 802, CUM		
PX-395	9/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Aug 2006) (AC0119870-0119872)		402, 403, F, 802, CUM		
PX-396	9/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Aug 2006) (AC0119873)		402, 403, F, 802, CUM		
PX-397	9/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Aug. 2006) (AC0119874-0119875)		402, 403, F, 802, CUM		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-398	10/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Sept. 2006) (AC0119876-0119878)		402, 403, F, 802, CUM		
PX-399	10/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Sept. 2006) (AC0119879)		402, 403, F, 802, CUM		
PX-400	10/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Sept. 2006) (AC0119880-0119881)		402, 403, F, 802, CUM		
PX-401	11/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Oct. 2006) (AC0119882-0119884)		402, 403, F, 802, CUM		
PX-402	11/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Oct. 2006) (AC0119885)		402, 403, F, 802, CUM		
PX-403	11/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Oct. 2006) (AC0119886-0119887)		402, 403, F, 802, CUM		
PX-404	12/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Nov. 2006) (AC0119888-0119890)		402, 403, F, 802, CUM		
PX-405	12/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Nov. 2006) (AC0119891)		402, 403, F, 802, CUM		
PX-406	12/01/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Nov. 2006) (AC0119892-0119893)		402, 403, F, 802, CUM		
PX-407	1/2007	Sales Meeting General Session – Bill Morgan (AC 0116546 – 0116550)		402, 403, 802, INC, AUTH, CUM		
PX-408		Change Notices BPII – (AC 018246.UR – 018314.UR)		402, 403, 802, AUTH, CUM		
PX-409	12/2000	Acushnet Company Pro V1 Manufacturing Guidelines Ball Plants I & II – (AC 018480.UR – 018500.UR)		402, 403, 802, CUM		
PX-410	12/2002	Acushnet Company Pro V1 392 Manufacturing Guidelines Ball Plants I & II – (AC 018460.UR – 018479.UR)		402, 403, 802, CUM		
PX-411	10/2004	Acushnet Company Pro V1x-332 Manufacturing Guidelines Ball Plant III (AC 018501.UR – 018527.UR)		402, 403, 802, CUM		
PX-412	12/2000	Acushnet Company Pro V1 392 Manufacturing Guidelines Ball Plants I & II (AC 018528.UR – 018548.UR)		402, 403, 802, CUM		
PX-413		Acushnet Company Pro V1 392 Manufacturing Guidelines (AC 018549.UR – 018571.UR)		402, 403, 802, CUM		
PX-414	11/2002	Acushnet Company Pro V1 392 Manufacturing Guidelines Ball Plants I & II (AC 018572.UR – 018592.UR)		402, 403, 802, CUM		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-415	12/2002	Acushnet Company Pro V1x 332 Manufacturing Guidelines Ball Plants I, II, and III (AC 018593.UR – 018617.UR)		402, 403, 802, CUM		
PX-416	10/2004	Acushnet Company Pro V1x – 332 Manufacturing Guidelines Ball Plant III (AC 018618.UR – 018647.UR)		402, 403, 802, CUM		
PX-417	8/18/2005	Change Notice Details (AC 027830.UR – 027838.UR)		402, 403, 802, CUM, AUTH, MULT		
PX-418	8/18/2005	Change Notice Details (AC 027839.UR – 027964.UR)		402, 403, 802, CUM, AUTH, MULT		
PX-419	12/23/2002	Email from Doug Martin to Acushnet personnel re New Pro V1 and Pro V1x Platform Team Minutes 12/18/02 (AC 019107.UR – 019108.UR)		402, 403, 802, CUM		
PX-420	3/15/2001	Email from Doug Martin to Top Flite personel re Pro V1 molded ball changes (AC 020420.UR – 020421.UR)		402, 403, 802, CUM		
PX-421	12/23/2002	Email from Doug Jones to Acushnet personel re New Pro V1 and Pro v1x Platform Team Minutes (AC 029935.UR – 029936.UR)		402, 403, 802, CUM		
PX-422	8/2000	Acushnet Company Veneer (Pro V1 – 392) Manufacturing Guidelines Manual Ball Plants I & II (AC 020477.UR – 020495.UR)		402, 403, 802, CUM		
PX-423	1/2006	Acushnet Company Pro V1-392 (Japan) Manufacturing Guidelines Ball Plant III (AC 065364.UR)		402, 403, 802, CUM, F, INC		
PX-424		Manufacturing Change Notice BPI (AC 046803.UR – 046810.UR)		402, 403, 802, CUM, F, MULT		
PX-425		Manufacturing Change Notices BPIII (AC 079084 – 079296)		402, 403, 802, CUM, F, MULT		
PX-426	4/17/2001	Opinion of Council opined by James G. Markey of Pennie & Edmonds LLP for Troy Lester re Invalidity Opinion of US Patent No. 6,210,293 to Sullivan assigned to Splading Sports Worldwide, Inc. for Multi-Layer Golf Ball including exhibits A-I (AC 0120415 – 0120496)		802 as to exhibits		

TRIAL Ex. No.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-427	4/03/2003	Opinion of Council opined by Edward A. Pennington of Swidler Berlin Shereff Friedman, LLP for Troy Lester re Invalidity and Unenforceability Opinion of US Patent Nos. 6,503,156 and 6,506,130 to Sullivan assigned to Splading Sports Worldwide, Inc. for Golf Ball having Multi-Layer cover with Unique outer cover characteristics including exhibits A-U (AC 0120837 – 0121090)		802 as to exhibits		
PX-428	10/20/2003	Opinion of Council opined by Edward A. Pennington of Swidler Berlin Shereff Friedman, LLP for Troy Lester re Invalidity and Unenforceability Opinion of US Patent Nos. 6,595,873 to Sullivan assigned to Splading Sports Worldwide, Inc. for Multi-Layer Golf Ball including exhibits A-R (AC 0121177 – 01211365)		802 as to exhibits		
PX-429		Golf Ball Box Covers (Photocopies) of assorted Pro V1 and Pro V1x Golf Balls (AC 0117465 – 0117509)		802, BEST, AUTH, INC, MULT		
PX-430		Miscellaneous Hebert patent application and file history documentation (AC 0100168 – 0100908)		402, 403, CUM, MULT, INC		
PX-431	4/13/2004 – 6/07/2004	Acushnet Internal E-mail correspondence dated between 4/13/04 to 5/3/04 re Pro V1 development (AC 004605 – 004621)		402, 403, CUM, 802, MULT, F		
PX-432	2/13/2004 – 4/06/2004	Acushnet Internal E-mail correspondence dated between 2/13/04 – 4/6/04 re Pro V1 development (AC 004552 – 004594)		402, 403, 802, CUM, MULT, F		
PX-433	2/10/2004	Acushnet Internal E-mail correspondence (AC 004549 – 004551)		402, 403, 802, CUM, MULT, F		
PX-434	1/15/2004 – 2/10/2004	Acushnet Internal E-mail correspondence (AC 004512 – 004520)		402, 403, 802, CUM, MULT, F		
PX-435	3/07/2003 - 3/12/2003	Acushnet Internal E-mail correspondence (AC 00481 – 00483)		402, 403, 802, CUM, MULT, F		
PX-436	01/19/2001	Capital Expenditure Request (CER)/(FO 0000008 - 0000029)		402, 403, 802, CUM, MULT, AUTH		
PX-437	06/29/2001	Capital Expenditure Request (CER) Acushnet's Urethane Ball Expansion A-83 (FO 0000031 - 0000040)		402, 403, 802, CUM, MULT, AUTH, DUP		
PX-438	08/03/2001	Capital Expenditure Request (CER) Acushnet's Urethane Ball Expansion A-84 (FO 0000042 - 0000046)		402, 403, 802, CUM, MULT, AUTH		
PX-439	10/29/2001	Capital Expenditure Request (CER)- (FO 0000104 - 0000113)		402, 403, 802, CUM, MULT, AUTH		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-440	04/12/2001	Email to Uihlein et al fr Morgan re The Earliest "V" Tests (AC0028868.UR)		402, 403, 802		
PX-441	09/09/1996	Inter-Office Correspondence to Allen et al fr Boehm re Golf Ball New Product Team Meeting 09-06-96 (AC0040429 - 0040435)		402, 403, 802, CUM, F		
PX-442		New Pro V1 Product Brief (AC0101050.UR - 0101062.UR)		402, 403, 802, CUM, MULT, F		
PX-443	10/13/2000	Email to Imamura et al fr Bohn re Titleist Pro V1 392 Creative Brief (AC 0033840 – 0033843)		402, 403, 802, CUM, MULT, F		
PX-444	11/03/2000	The New Titleist PRO_V1 Launch Communication Program (AW01431 - 01458)		402, 403, 802, CUM, MULT, F, AUTH		
PX-445	5/25/2000 – 6/08/2000	Veneer Vs Callaway Blue: Soft Feel (AC0019723 - 0019729)		402, 403, 802, CUM, MULT, F		
PX-446	02/24/2003	Email to Broome et al fr Morgan re HX Comparison (AC0028891.UR - 0028895.UR)		402, 403, 802, CUM, MULT, F		
PX-447	10/12/2000	Email to Cavallaro et al fr Morgan re V1 is Huge and so is this email (AC0109477.UR - 0109482.UR)		402, 403, 802, CUM, MULT, F		
PX-448	08/2001	Acushnet Co Ltr to Golfers fr Uihlein re Titleist Pro V1 Golf Ball (AW00034)		402, 403, 802, CUM, MULT, F		
PX-449	2003	A Sequel to Pro V1 (AW00041)		402, 403, 802, CUM, MULT, F		
PX-450	02/08/2007	Email to Acushnet Meida1 fr Gomes re Titleist Introduces New Pro V1 and Pro V1x Golf Balls (AC0120352 - 0120355)		402, 403, 802, CUM, MULT, F		
PX-451	04/05/2007	Timeline (AW 02579 - 81)		402, 403, 802, CUM, MULT, F		
PX-452	2005	Our Most Important Victory is winning the trust of the worlds best players (AW00001 - 00050)		402, 403, 802, CUM, MULT, F		
PX-453	07/29/2004	Titleist webtop Golf ball survey results (AC0064957 - 0064962)		402, 403, 802, CUM, MULT, F		
PX-454	05/10/2004	Email to Bellis et al fr Sine re Another round of golf magazine questions (AC0034597 - 0034599)		402, 403, 802, CUM, MULT, F		
PX-455	2005	2005 Media Recommendation (AC0063202.UR - 0063227.UR)		402, 403, 802, CUM, MULT, F		
PX-456	11/22/2005	2006 Media Plan Recommendation (AC0063293 - 0063365)		402, 403, 802, CUM, MULT, F		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-457	10/19/2001	Email to Abrain et al fr Spark re Nov. Golf Ball new product development team meeting (AC0030643.UR - 0030654.UR)		402, 403, 802, CUM, MULT		
PX-458	10/05/2000	Email to Drumm et al fr Morgan re V-1 testing at New Albany classic (AC0028769.UR - 0028781.UR)		402, 403, 802, CUM		
PX-459	07/22/2002	Ltr to J. Simoneau et al fr Whelan re 2002 Competitive Spending Report-20 (AC0065075.UR - 0065093.UR)		402, 403, 802, CUM, AUTH		
PX-460	03/10/2006	Ltr to Bohn et al fr Ostrom re 2006Media Budget Summary/Flowchart Update (AC0065229.UR - 0065250.UR)		402, 403, 802, CUM, AUTH		
PX-461	02/06/2003	Email to Feeney et al fr Harwood re Strategies Attached-Driver and Pro V1 Family (AW01666 - 01668)		402, 403, 802, CUM, AUTH, INC		
PX-462	05/12/2004	Email to Treps et al fr Bohn re Titleist Advertising Schedule-May Update (AC0112449.UR - 0112453.UR)		402, 403, 802, CUM		
PX-463		Table of Log numbers & Thickness (AC0059901.UR)		402, 403, 802, CUM, AUTH, INC		
PX-464	12/2004 - 01/2005	Data for Sample: Titleist Pro V1 392 (Ball) (AC0059632 - 0059642)		402, 403, 802, CUM, AUTH, INC, MULT		
PX-465	2003	Data for Sample: Titleist Pro V1 392 (Ball) (AC0057694 - 0057703)		402, 403, 802, CUM, AUTH, INC, MULT		
PX-466		Data Sheets for Titleist Pro V1 392, V1x 332, (AC0000875.UR - 0000916.UR)		402, 403, 802, CUM, AUTH, INC, MULT		
PX-467	01/25/2002	Data Sheet for the Pro V1 *392 (AC0046761.UR - 0046763.UR)		402, 403, 802, CUM, AUTH, INC		
PX-468	2003-2005	Titleist Solid Construction Golf Balls Spreadsheet (AC0026632.UR - 0026640.UR)		402, 403, 802, AUTH, INC, MULT		
PX-469	07/28/2004	Email to Mayer et al fr Copolymers re DuPont order # DNHP61213A0000-Certification Letter (AC0012365.UR - 0012376.UR)		402, 403, 802, CUM, AUTH		
PX-470	08/25/2005	Incoming Raw Material-Quality Assurance Testing Record-Surlyn Resin 7940 (AC0013618 - 0013624)		402, 403, 802, CUM, AUTH, INC		
PX-471	02/02/2007	Defendant Acushnet's 2 nd Supp Responses to Callaway's 1 st set of Roggs to Acushnet NO. 2		402, 403, 105		
PX-472	12/30/2006	Titleist and Foot-Joy Worldwide – Product Analysis data, Program: SARO 15 (Dec. 2006) (AC0119894 - 0119896)		402, 403, 802, CUM, INC		
PX-473	12/30/2006	Product Analysis for Titleist and Foot-Joy World Wide Consolidated/international (AC0119897)		402, 403, 802, CUM, INC		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-474	12/30/2006	Product Analysis for Titleist and Foot-Joy World Wide Consolidated/inter-company (AC0119898 - 0119899)		402, 403, 802, CUM		
PX-475	12/31/2000	Product Analysis for Titleist and Foot-Joy World Wide Consolidated/US (AC0044080.UR - 0044092.UR)		402, 403, 802, CUM		
PX-476	12/30/2000	Product Analysis for Titleist and Foot-Joy World Wide Consolidated/International (AC0043849.UR - 0044279.UR)		402, 403, 802, CUM, MULT		
PX-477	10/17/2006	Acushnet Company 2007 Strategic Plan (AC0119966 - 0120088)		402, 403, 802, CUM		
PX-478	02/04/2002	Ltr to Omtvedt re 2002 Financial Forecast (AC0047731.UR - 0047739.UR)		402, 403, 802, CUM, AUTH		
PX-479		To Capex Committee fr Interim CER for Acushnet re Solid Core/ Veneer Ball Capacity Expansion A-82 (FO 0000009 - 0000024)		402, 403, 802, CUM, MULT, AUTH		
PX-480		Acushnet Solid Core/ Veneer Ball Expansion A-82 (FO 0000025 - 0000030)		402, 403, 802, CUM, INC, AUTH		
PX-481	06/29/2001	Acushnet Urethane Ball Expansion A-83 (FO 0000031 - 0000040)		402, 403, 802, CUM, AUTH		
PX-482	08/03/2001	Acushnet Urethane Ball Expansion A-84 (FO 0000042 - 0000046)		402, 403, 802, CUM, AUTH		
PX-483	12/20/2001	Fortune Brands Memo- To Ewers et al fr Flocco re Approval for Acushnet Capital Expenditure (FO 0000077 - 0000091)		402, 403, 802, CUM, AUTH, MULT		
PX-484	09/26/2005	Acushnet Co Business Review (AC0076099.UR- AC0076128.UR)		402, 403, 802, CUM		
PX-485	09/20/2004	Email to International Market Managers et al fr Sine re 2005 Golf Ball Pricing (AC0031737.UR)		402, 403, 802		
PX-486	08/2000	Veneer Pro V1-392 Manufacturing Guidelines Manual Ball Plants 1 & 2 (AB0111784 - 0111803)		402, 403, 802, CUM		
PX-487	10/2000	Veneer- Manufacturing Guidelines manual Ball plants 1 and 2 (AB0111826 - 0111844)		402, 403, 802, CUM		
PX-488	12/2000	Pro V1 392 Manufacturing Guidelines Ball Plants 1 & 2 (AB0038279 - 0038299)		402, 403, 802, CUM		
PX-489	08/2001	Dual Core Veneer Manufacturing Guidelines Ball Plants 1-3 (AB0111726 - 0111753)		402, 403, 802, CUM		
PX-490	09/2001	Pro V1 392 Mfg Guidelines Ball Plants 1-3 (AB0111755 - 0111782)		402, 403, 802, CUM, F		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-491	03/2002	Pro V1 392 MFG Guidelines Ball Plants 1-3 (AB0111963 - 111990)		402, 403, 802, CUM, F		
PX-492	11/2002	Pro V1 392 MFG Guidelines Ball Plants 1 & 2 (AB0038341 - 38361)		402, 403, 802, CUM, F		
PX-493	12/2002	PRO V1x 332 MFG Guidelines Ball Plants 1-3 (AB0015563 - 15587)		402, 403, 802, CUM, F		
PX-494	10/2004	PRO V1x 332 MFG Guidelines Ball Plant 1 (AB0015471 - 15497)		402, 403, 802, CUM		
PX-495	11/2004	PRO V1-392 MFG Guidelines Ball Plants 3 (AB0038532 - 38560)		402, 403, 802, CUM		
PX-496	10/2004	PRO V1x 332 MFG Guidelines Ball Plants 3 (AB0015588 - 15617)		402, 403, 802, CUM		
PX-497	10/20/1998	Email to Hebert et al fr Dalton re Veneer Revived (AC0019548.UR)		402, 403, 802,		
PX-498	02/21/1996	New Product Directive Project X Technology (AC0040355.UR - 40361.UR)		402, 403, 802,		
PX-499	02/18/2000	Veneer Development – Lab Notebook user Fletcher (AC0041186.UR - 0041198.UR)		402, 403, 802, MULT		
PX-500	02/18/2000	Veneer Development Lab Notebook user Fletcher (AC0041513.UR - 41527.UR)		402, 403, 802, MULT		
PX-501	01/2000	Veneer Ball Product Specs (AC0041270 - 0041275)		402, 403, 802, CUM, INC, AUTH, F		
PX-502	02/15/2000	Email to Mydlack et al fr Hebert re Veneer Ball Trial Summary 2-10-00 (AC0004139.UR - 0004141.UR)		402, 403, 802, CUM		
PX-503	10/02/2000	Email to Drumm et al fr Morgan re V-1 Cut/Shear (AC0020457.UR - 20459.UR)		402, 403, 802, CUM		
PX-504	03/06/2000	Email to Hebert et al fr Morgan re Veneer Strategy is defined March 06-2000 (AC0000253.UR - 0000254.UR)		402, 403, 802		
PX-505	08/17/2000	Email to Morgan et al fr Aoyama re V1 vs. Callaway red headwind issues in T200066 (AC0000584 - 0000585)		402, 403, 802, CUM		
PX-506	04/27/2000	Email to Mydlack et al fr Cavallaro re Veneer Platform Team Update (AC0019451.UR - 0019453.UR)		402, 403, 802, CUM		
PX-507	04/18/2000	Email to Morgan et al fr Aoyama re Veneer Vs. Callaway Test 200030 (AC0019513.UR - 0019514.UR)		402, 403, 802, CUM		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-508	04/01/2002	Email to Product Development Engineers et al fr Dalton re Notes fr Pd and Aerodynamics update 3-29-02 (AC0000408.UR-AC0000410.UR)		402, 403, 802, CUM, INC		
PX-509	08/20/2004	Distance and Spin Request Form (AC0025079.UR - 0025083.UR)		402, 403, 802, CUM		
PX-510	12/30/2000	Veneer Vol 1 (AB0037028 - 0037256)		402, 403, 802		
PX-511		Veneer Vol 2 (AB0037257 - 0037523)		402, 403, 802		
PX-512		Veneer Vol 3 (AB0037524 - 0037706)		402, 403, 802		
PX-513		Veneer V1 vol 4 (AB0037707 - 0037935)		402, 403, 802		
PX-514		Veneer Vol 5 (AB0037936 - 0038022)		402, 403, 802		
PX-515	2002	Improved Pro V1 volume 1 (AB0034583 - 0034829)		402, 403, 802		
PX-516		Improved Pro V1 volume 2 (AB0034830 - 0035195)		402, 403, 802		
PX-517	04/03/2001	Email to Morgan et al fr Dalton re Possible Prior Art		UNK		
PX-518	01/03/2007	Standard Test Method for Rubber Property-Durometer Hardness		UNK		
PX-519	02/20/1996	New Product Directive- Multi-Layer Project DX (AC0040363.UR - 0367.UR)		402, 403, 802, INC, MULT		
PX-520	01/2004	Titelist Solid Construction Golf Balls Data Sheets (AC0026632.UR -26638.UR)		402, 403, 802, INC, CUM, MULT		
PX-521	02/20/1996	New Product Directive multi-layer Project X (AC0040363.UR - 0367.UR)		402, 403, 802, CUM, DUP		
PX-522		Email to Cavallaro et al fr Hebert re Co-Injection Molded Cups-Update (CW0320910-0320911)		402, 403, 802, INC, CUM, AUTH, DISC		
PX-523		Invention Record-Layered Ball with Tain Thermoset surface (CW0320903-0320909)		105, 402, 403, 802, MULT, CUM		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-524	07/15/1996	Hebert/Titleist and Foot-Joy WorldWide Project X 2 (Urethane Veneer Cover) Project Update (AC0040520.UR)		402, 403, 802		
PX-525	1997	Veneer Project Update-September 2 (AC0041187.UR)		402, 403, 802		
PX-526	10/20/1998	Email to Hebert et al fr Dalton re Veneer Revived (AC0019548.UR)		402, 403, 802		
PX-527	01/12/1998	Urethane Veneer Project-Dual Core Experiment (AC0040739.UR-40740.UR)		402, 403, 802		
PX-528	02/18/2000	Intra-Company Correspondence to MFG Review Committee fr Rudzik re MFG Review Committee Minutes 2-16-00 (AC0065879-65895)		402, 403, 802, CUM, AUTH, MULT		
PX-529	02/18/2000	Veneer Development Notebook by Fletcher (AC0041513.UR-41527.UR)		402, 403, 802, MULT, DUP		
PX-530	10/10/2000	Draft # 3 Titleist High Performance multi- component Golf Ball to Debut at Las Vegas Invitational (AC0033824-33830)		402, 403, 802, CUM, ILL, INC		
PX-531	10/17/2000	US Patent No 6,132,324 (CW0179321-179331)		402, 403, 802		
PX-532	07/24/1996	Email to Hebert et al fr Snell re Urethane Veneer Ball Update (AC0040412-40413)		402, 403, 802		
PX-533		Chapter 52- The Curious Persistence of the Wound Ball		UNK		
PX-534	1994	Sullivan et al – The Relationship between golf ball construction and Performance (CW 317517-317532)		402, 403, 802, CUM, UNK, AUTH, INC, MULT		
PX-535	12/07/2001	Ltr to Arturi et al fr Nauman re US Patent No 293 and 894 Titleist PRO V1 (CW0274118-274121)		402, 403, 408, 802		
PX-536	01/16/2002	Ltr to Nauman et al fr Arturi re US Patents No 293 and 894 Titleist PRO V1 (CW0274115-274116)		402, 403, 408, 802		
PX-537	08/08/2002	Email to Arturi et al fr Nauman re Proposed Urethane License (CW0274062-274074) [Subject to FRE 408]		402, 403, 408, 802		
PX-538	08/22/2002	Email to Nauman et al fr Arturi re Proposed Urethane License (CW0274054-274061) [Subject to FRE 408]		402, 403, 408, 802, CUM, AUTH, INC		
PX-539	09/19/2002	Email to Arturi et al fr Nauman re Proposed Urethane License (CW0274042-274052)		402, 403, 408, 802		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-540	06/30/2000	License Agreement Between Acushnet and Dunlop Maxflisports Corp (AB0090086-90093)		402, 403, 802		
PX-541	07/08/1987	Settlement Agreement between Spalding and Kidde Recreation Products (CW0274027-274031)		402, 403, 802, CUM		
PX-542	11/15/1990	Settlement Agreement between Spalding and Lisco (AC0014584-14615)		402, 403, CUM, INC		
PX-543	12/18/2000	Ltr to McCracken fr Nauman re Three groups of patents currently under discussion (CW0274558-0274560)		402, 403, 408, 802, CUM, INC		
PX-544	06/20/2001	Email to Sine fr Andre re The Pro V1 it aint-DRAFT of Note to TREPS (AC0034094-34096)		402, 403, 802, CUM		
PX-545	2003	January 2003 Sales Meeting –Summer cd (AC0030277.UR-30382.UR)		402, 403, 802, CUM, MULT		
PX-546		Chain of Command for Acushnet (AC0030750-30771)		402, 403, 802, INC, AUTH, MULT		
PX-547	08/15/2000	Ltr to McCracken et al fr Nauman re Acushnet conducted extensive testing and analysis of Callaway's rule 35 golf balls (CW0274660-274666) [Subject to FRE 408]		402, 403, 408, 802, CUM, MULT		
PX-548		Golf Digest Magazine - June 2003 Cover page and Titleist Pro V1 "There's that Buzzing sound again" advertisement & April 2001 Cover page and "Word of Mouth On the new ball from Titleist isn't just positive.. It's deafening" Titleist Pro V1 advertisement (CW 0366587-0366591)		402, 403, 802, MULT, CUM, DISC		
PX-549	12/21/2000	Ltr to Nauman fr Catania re Summary of discussion pertaining to the Calabria patents and the Hebert Patents (CW0274550-274551) [Subject to FRE 408]		402, 403, 408, 802, CUM		
PX-550	12/27/2000	Ltr to Nauman fr Catania re List of cases that support our position concerning the failure to remove the word about from the claim (CW0274547-274548) [Subject to FRE 408]		402, 403, 408, 802, CUM		
PX-551	12/06/2001	Ltr to Nauman et al fr Arturi re US Patent Nos 293 and 894 Titleist Pro V1 (AC0014624) [Subject to FRE 408]		402, 403, 408, 802		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-552	12/07/2001	Ltr to Arturi fr Nauman re Our review of the 293 and 894 resulted in our conclusion that the titlesit pro v1 did not infringe any claims of either patent (CW00615304-615305) [Subject to FRE 408]		402, 403, 408, 802, CUM		
PX-553	03/04/2002	Ltr to Lester fr Bugbee re Follow up the conf. call on 2-12-02 (CW00615313-615325) [Subject to FRE 408]		402, 403, 408, 802, CUM		
PX-554	09/19/2002	Email to Arturi et al fr Nauman re Proposed Urethane License (CW00615365-615375) [Subject to FRE 408]		402, 403, 408, 802, CUM, INC		
PX-555		Pro V1 Clearance Chart (AC0120356-120360)		402, 403, 408, 802, INC, AUTH, AC, MULT		
PX-556	04/03/2001	Email to Morgan et al fr Dalton re Possible prior art (AC0120361)		402, 403, 802		
PX-557	04/04/2001	Email to Morgan et al fr Dalton re More Prior Art (AC0120362)				
PX-558	04/17/2001	Opinion of Counsel- Penne & Edmonds LLP—Ltr to Lester et al fr Markey re Invalidity opinion of us patent no 293 to Sullivan assigned to Spalding for Multi-Layer Golf balls (AC0115679-115750)		802 as to exhibits		
PX-559	04/13/2001	Memo to Lester fr Sullivan re Competitive Patent Review Related to Planned Product Introductions (AC0120495-120496)		402, 403, 802, CUM, AC, INC, MULT		
PX-560	04/11/2001	Ltr to Nauman et al fr Lester re Invalidity Investigation of Us Patent no 293 issued to Spalding on 4-03-01 (AC0120363-120413)		802		
PX-561	04/08/2003	Opinion of Counsel- Letter to Lester fr Pennington re Invalidity and Unenforceability opinion of US Patent Nos 156 and 130 to Sullivan assigned to Spalding For Golf balls having multi-layer cover with unique outer cover characteristics (AC0115945-116197)		802 as to exhibits		
PX-562	10/20/2003	Opinion of Counsel- ltr to Lester fr Pennington re Invalidity and unenforceability opinion of US Patent No 873 to Sullivan assigned to Spalding for Multi-Layer Golf Ball (AC0121177-121201)		INC		
PX-563		Conf-Priv Memo re Pro V Dual Core Patent Nos 293 Executive summary (AC0120492-120494)		802, AC		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-564	02/01/2002	Ltr to Pennington et al fr Lester re Invalidity opinion of US Patent No 293 assigned to Spalding for Multi-Layered Golf Ball (AC0120560)		802, INC		
PX-565	07/30/2002	Fax to Lester fr Mulgrew re Summary of Requested Sullivan Family Analysis (AC0120576-120608)		802, CUM, INC, AC		
PX-566	08/05/2003	Troy Lester opinion memo to Nauman et al re Evaluation of Spalding '510 Patents (AC0120643-120836) [Subject to FRE 408]		802		
PX-567	12/16/2003	Declaration of J. Mulgrew Under 37 CFR § 1.132 (CW0320889-320921)		402, 403, 802, CUM, DISC		
PX-568	04/12/2001	Email to Uihlein et al fr Morgan re The Earliest V Test (AC0028868.UR-28877.UR)		402, 403, 802, MULT		
PX-569	08/2000	Tour Distance SF and the Next Generation Product (AC0028332.UR - 28358.UR)		402, 403, 802, CUM, AUTH		
PX-570	04/03/2001	Email to Morgan et al fr Dalton re Possible Prior Art (AC0120361-120363)		402, 403, 802, CUM, AUTH, DUP, MULT, INC		
PX-571	12/18/2000	Letter fr Nauman to McCracken re the Lynch, Hebert, and Calabria patents attaching Patent License Proposal (CW 0274558 - 274560)		402, 403, 408, 802, CUM, MULT		
PX-572	04/29/2003	Titleist Pro V1 392 Ball Specs (AC0057426)		402, 403, 802, CUM, AUTH		
PX-573	06/09/2003	Titleist Pro V1 392 Ball Specs (AC0057430)		402, 403, 802, CUM, AUTH		
PX-574	07/22/2003	Titleist Pro V1 392 Ball Specs (AC0057432)		402, 403, 802, CUM, AUTH		
PX-575	07/28/2003	Titleist Pro V1 392 Ball Specs (AC0057433)		402, 403, 802, CUM, AUTH		
PX-576	08/11/2003	Titleist Pro V1 392 Ball Specs (AC0057436)		402, 403, 802, CUM, AUTH		
PX-577	08/14/2003	Titleist Pro V1 392 Ball Specs (AC0057438)		402, 403, 802, CUM, AUTH		
PX-578	08/23/2003	Titleist Pro V1 392 Ball Specs (AC0057440)		402, 403, 802, CUM, AUTH		
PX-579	09/02/2003	Titleist Pro V1 392 Ball Specs (AC0057442)		402, 403, 802, CUM, AUTH		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-580	01/2004	Titleist Solid Construction Golf Balls Table (AC0026632-26640)		402, 403, 802, CUM, AUTH, MULT, DUP		
PX-581	04/29/2002	Titleist Pro V1 Star Ball Specs (AC0054583)		402, 403, 802, CUM, AUTH		
PX-582		New Pro V1 Product Brief (AC0101050.UR-101072.UR)		402, 403, 802, CUM, AUTH, MULT		
PX-583		The Road to Our Present Day Pro V1 Journey (AC0000072-0097)		402, 403, 802, CUM, AUTH		
PX-584	02/14/2001	Email to Steinbred fr Sine re PRO v1 (AC0036670-36671)		402, 403, 802, CUM		
PX-585	06/20/2001	Email to Sine fr Andre re The Pro V1 it ain't –draft of note to TREPS (AC0034094-34096)		402, 403, 802, CUM		
PX-586	10/17/2006	Acushnet Company 2007 Strategic Plan (AC0119966-120088)		402, 403, 802, CUM, DUP		
PX-587		Titleist Market analysis etc (AC0023618-23740)		402, 403, 802, CUM		
PX-588	06/20/1996	Interoffice Memo to Morgan et al fr Hebert re Layered Ball testing with Brad Faxon (AC0040398-40400)		802		
PX-589	06/28/1996	Interoffice Memo to Snell et al fr Hebert re GHO Layered Performance Ball Testing-6-25-96 (AC0040402-40404)		802		
PX-590	10/04/1996	Golf Ball New Product Team Meeting Minutes (AC0029069.UR-29079.UR)		802		
PX-591	07/15/1996	Heberte/Titleist & Foot-Joy Worldwide: Project X2 (Urethane Veneer Cover) Project Update (AC0040520.UR)		802, CUM, DUP		
PX-592	07/24/1996	Email to Hebert et al fr Snell re Urethane Veneer Ball Update (AC0029090.UR-29091.UR)		802, DUP		
PX-593		Invention Record: Layered Ball with Thin Thermoset Surface (CW0320903-320909)		402, 403, 802, CUM, DUP, DISC		
PX-594	10/26/1999	US Patent No 5,971,869 (CW0296056-296066)		402, 403, 802, CUM		
PX-595	08/08/2000	United States Patent No 6,100,340		402, 403, 802, CUM		
PX-596	05/06/1998	Research Technology –How Discontinuous Innovation Really Happens		UNK		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-597		Statz- Surlyn Ionomers for Golf Ball Covers (AC0131200-131207)		402, 403, 802		
PX-598		Statz- Methods for Developing New Polymers for Golf Ball covers (AC0130722-130726)		402, 403, 802		
PX-599	06/23/1981	US Patent No 4,274,637 (CW0303515-303530)				
PX-600		Standard Test Method for Rubber Property-Durometer Hardness		UNK		
PX-601		Exhibit O-JIS C and Shore D/Shore A Hardness Values		402, 403, 802, CUM, AUTH, INC, UNK		
PX-602		JIS C and Shore D/Shore A Hardness Values (CW0076878-76879)				
PX-603	05/24/1994	US Patent No 5,314,187 (CW0300577-300587)				
PX-604	11/01/2005	US Patent No 6,960,630 B2 (CW0301046-301058)		402, 403, 802, CUM		
PX-605		Employee File (CW0253246-253285)		402, 403, 802, AUTH, MULT.		
PX-606	05/24/1991	Memo to Ferris fr Sullivan re Catalogue Background Info-Spalding Research (CW00507275-507282)		402, 403, 802, CUM, AUTH		
PX-607		Handwritten Notes re Key Accomplishments (CW00503898-503899)		402, 403, 802, CUM, AUTH, INC		
PX-608	06/12/1984	Agreement & Waiver Signed by Sullivan (CW0253286)		402, 403, 802, CUM, AUTH, INC		
PX-609		Handwritten Notes re Intro Self, Nealon, Bellinger, Tavares (CW00551673-551674)		402, 403, 802, CUM, AUTH, INC		
PX-610		127 Years of Excellence and Innovation Time Line (CW00610225)		402, 403, 802, CUM, AUTH, INC		
PX-611		Handwritten notes titled "Titleist's view of its own Strengths and Weakness" (CW00555285-555288)		402, 403, 802, CUM, AUTH, INC		
PX-612	08/02/1994	US Patent No. 5,334,673 (CW0304056-304061)				
PX-613	03/21/1991	Engineering and Research Notebook/Spalding (CW00611726,CW611786.01, CW611786.02,CW00611805)		402, 403, 802, INC		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-614	09/26/1995	Memo to Sullivan fr Binette re Castable PU Covered Multi-Layer Balls (CW00522440-522441)		402, 403, 802, CUM, AUTH		
PX-615		Improved Multi-Layer Golf Ball-Field of the Invention (CW0300231-300283)		402, 403, 802, CUM, AUTH		
PX-616	05/24/1993	Assignment in Improved Multi-Layer Golf Ball (CW0300288-300290)		802, AUTH		
PX-617	05/24/1993	Declaration for Patent Application Docket No. P-3724/SLD 2 035 (CW0300285-300286)		802		
PX-618	10/31/1995	Declaration for Patent Application Docket No. P-3724-2/SLD 2 035-3-3 (CW0300356-300402)		402, 403, 802, AUTH, ILL, MULT, INC		
PX-619	11/20/2000	Acushnet Miscellaneous Notebook for Sullivan, Research dept. (AC0090622-90715)		402, 403, 802, CUM, AUTH		
PX-620		Acushnet Company-Privileged Memo- Freedom to operate opinion pro v dual core (AC0120492-120496)		DUP, AC, MULT		
PX-621	04/17/2001	Opinion of Counsel-Pennie & Edmonds (AC0115679-115698)		DUP, INC		
PX-622	10/20/2003	Opinion of Counsel- Swindler Berlin Shereff Friedman (AC0115751-115772)		DUP, INC		
PX-623	04/08/2003	Opinion of Counsel –Swindler Berlin Shereff Friedman (AC0115945-115981)		DUP, INC		
PX-624	1994	Article- Sullivan et al –The Relationship between golf ball construction and performance (CW0317527-317532)		402, 403, 802, AUTH		
PX-625	09/06/1989	Engineering and Research Notebook for Sullivan (CW00611621,CW611660.01)		402, 403, 802, CUM, INC, UNK		
PX-626	02/26/2001	Email to Mayer et al fr Wu re Vibrathane 23.708 as an alternate prepolymer for PRO V1 (AC0020415.UR)		402, 403, 802, CUM		
PX-627	07/12/2000	Polyurethane projects-Wu & Kuntimaddi (AC0019566)		402, 403, 802, CUM, AUTH, INC		
PX-628	12/6/2001	Arturi Letter to Nauman re '293 and '894 (CW 0274122) [Subject to FRE 408]		408, 802, CUM		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-629		Nauman letter to Arturi re '293 and '894 (AC0099813-99814); with 8/18/2001 GolfWeek article re Titleist producing 5 million dozen per year; taking two months to accomplish what normally was done in six (AC0099815); and 8/2001 Uhlien letter to "Loyal Golfers" re: introduction of Pro VI (AC0099816)		408, 802, CUM, INC		
PX-630	01/16/2002	Arturi letter to Nauman re '293 and '894 (AC100109-100111)		408, 802, CUM, DUP		
PX-631	1/22/2002	Nauman letter to Arturi re '293 and '894 (AC0099819-99820) [Subject to FRE 408]		408, 802, CUM, DUP		
PX-632	3/04/2002	Bugbee letter to Lester re '293 and '894 (AC0100092-100104) [Subject to FRE 408]		408, 802, CUM, DUP		
PX-633	8/08/2002	Nauman email to Arturi re Proposed Urethane License (CW 0274062-0274074) [Subject to FRE 408]		402, 403, 408, 802, CUM		
PX-634	8/22/2002	Arturi email to Nauman re Proposed Urethane License (CW 0274054) [Subject to FRE 408]		402, 403, 408, 802, CUM, DUP		
PX-635	09/19/2002	Nauman email to Arturi re Proposed Urethane License (CW 0274042-0274061) [Subject to FRE 408]		402, 403, 408, 802, CUM, MULT		
PX-636	10/08/2002	Arturi email to Nauman re Proposed Urethane License (CW 0274041) [Subject to FRE 408]		402, 403, 408, 802, CUM, DUP		
PX-637	11/08/2002	Arturi email to Nauman re Next meeting (CW 0274039) [Subject to FRE 408]		402, 403, 408, 802, CUM		
PX-638	12/10/2002	Nauman letter to Arturi re Thursday December 12 th Meeting at Framingham Sheraton (CW 0274412) [Subject to FRE 408]		402, 403, 408, 802		
PX-639	8/22/2003	Nauman email to McCracken re Call Back (AC0100019-100031)		402, 403, 408, 802, CUM		
PX-640	8/26/2003	McCracken letter to Nauman re potential License Agreement (CW 0282408-282410)		802, INC		
PX-641	6/30/2003	Asset Purchase Agreement between Top-Flite and Callaway Golf (CW 0274695-274763)		402, 403, 802, INC		
PX-642		Asset Purchase Agreement Amendment No. 1 (CW 0282496-0282505)		402, 403, 802, INC		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-643	9/04/2003	Amendment No. 2 to Asset Purchase Agreement 24 (CW 0284940-02824953)		402, 403, 802, INC		
PX-644	11/15/1990	Settlement Agreement between Spalding & Evenflo Companies, Inc. and Acushnet (CW 0273914-273930)		402, 403, 802, CUM		
PX-645		Settlement Agreement between Spalding & Evenflo Companies, Inc., and Lisco Inc and Acushnet Company (CW 0273951-0273970)		802, INC, DUP		
PX-646	12/24/1986	Settlement Agreement between Spalding & Evenflo inc., and Ram Golf Corp. (CW 0274017-0274026)		402, 403, 802, CUM, AUTH		
PX-647	Fall 2000	CG magazine article titled "Callaway Golf Consolidates Club, Ball Operations (CW 168226-168243)		402, 403, 802, CUM, AUTH, INC		
PX-648	8/26/2003	Golf Ball Product Group Meeting Minutes –(CW 001882842-1882844)		402, 403, 802, CUM, AUTH, INC		
PX-649	9/13/2001	Tom Kennedy Email to Jim Craigie re Hal Sutton (CW 00534411)		402, 403, 802		
PX-650	7/05/2001	T. Kennedy Memo to J. Craigie re New Product Update (CW 1850789-791)		402, 403, 802		
PX-651	1/07/2002	T. Kennedy Memo to J. Craigie re New product Update (CW001850553-557)		402, 403, 802, INC		
PX-652	12/01/2005	Golf Equipment Testing – Past, Present and Future by Thomas J. Kennedy, III, Callaway Golf (CW 253217)		402, 403, 802, INC		
PX-653	6/30/2003	Asset Purchase Agreement between Top-Flite Golf Company (f/k/a SPALDING) and Callaway Golf Company (CW 0282422-0282495)		402, 403, 802, INC		
PX-654	8/26/2003	McCracken letter to Joe Nauman re Potential License Agreement (discusses icense to the '510 fmily and document idicating CG would probably take lump sum of 10 million) (CW 0325715-325720)		802		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-655		Schedule 2.14 to Asset and Purchase Agreement (CW 0274938-0274866)		402, 403, 802, CUM, AUTH, UNK		
PX-656	1/01/2000	License Agreement between Callaway Golf Company and Acushnet Company (CW 0274474-0274489)		802		
PX-657	9/30/2003	U.S. Securities and exchange Commission Form 10-Q re Callaway Golf Company (CW 0286930-0287013)		802		
PX-658	8/21/2003	Email exchanges between Steve McCracken and Joe Nauman re potential license to the '510 family (AC 0100027-0100029)		402, 403, 802, 408, CUM		
PX-659	8/22/2003	Email exchanges between Jaumand Nd McCracken re Call back with further discussion re '510 family (AC0100019-0100021)		802, 408		
PX-660	1/09/2001	Confidential Agreement and Patent License Proposal (AC99585- 586) [Subject to FRE 408]		402, 403, 802, 408, CUM		
PX-661	1/23/2001	License Proposal from Nauman to Steve McCracken (AC99582- 584) [Subject to FRE 408]		402, 403, 802, 408, CUM		
PX-662	2/16/2001	Letter from Steve McCracken to Joe Nauman re Hebert License Terms (AC99549-552) [Subject to FRE 408]		402, 403, 802, 408, CUM		
PX-663		Hebert License (AC 100118-139)		802		
PX-664	1/16/2002	Arturi letter to Joe Nauman (CW 615309-310)		402, 403, 802, 408, CUM, INC		
PX-665	1/22/2002	Nauman Nauman letter to Peter artuei (CW 615311-312) [Subject to FRE 408]		402, 403, 802, 408		
PX-666	3/18/2002	Joe Nauman letter to Peter arturi re Spalding applications (CW 274085-088)		402, 403, 802, 408		
PX-667	5/24/2002	Arturi letter to Nauman re proposes Agreement (CW 274378- 386) [Subject to FRE 408]		402, 403, 802, 408		
PX-668	12/2001	Atachment to 12/2001 letter (CW 615306-307)		402, 403, 802, 408, CUM, INC, UNK, AUTH		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-669		Email exchanges between Arturi and Nauman re December meeting (CW 274036) [Subject to FRE 408]		402, 403, 802, 408, CUM, DUP		
PX-670	8/2003	Email exchanges between Joe Nauman and Steve McCracken re potential license to Spalding (AC 100027-29)		408, 802, MULT		
PX-671	8/2003	Proposed term sheet for Spalding patents (AC 100025-26)		402, 403, 802, 408, CUM, INC		
PX-672		Email exchanged between Joe Nauman and Steve McCracken re Proposed terms for license to Spalding patents (AC 100019021)		802, 408		
PX-673	8/26/2003	Steve McCracken letter to Nauman re potential license Agreement (AC 17172-74)		802		
PX-674		Employment offer to Sullivan (AC 99721-724)		402, 403, 802		
PX-675		Employment Agreement between Sullivan and Acushnet ((AC99638-651)		402, 403, 802, CUM		
PX-676		Callaway Golf ball Company New Hire Training (CG 33676-33955)		UNK		
PX-677		Dewanju Lab Notebook (CS 0032248-32250)		UNK		
PX-678		Morgan Declaration from Bridgestone litigation		802		
PX-679		Bellis Declaration from Bridgestone litigation		802		
PX-680		Love Declaration from Bridgestone litigation		802		
PX-681	3/25/2003	Report titled "Assessing Strategic Options for Spalding by Oaktree Capital Management, LLC (CW 00595802-00595867)		402, 403, 802, CUM		
PX-682		Acushnet Shore D Data (AC000900)		402, 403, 802, CUM, INC		
PX-683	8/25/2000	Callaway Golf Ball MFG Specification Sku #2-Firm/Red Rule 35 Part # 63121 (CW0002249-CW0002251)		402, 403, 802, INC, CUM, F, AUTH		
PX-684	8/2001	Ball Specs Folder (CW0008575-CW0008587)		402, 403, 802, INC, CUM, F, AUTH, MULT		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-685		Competitive Ball Technical Profile-Project # B00-01-0094 (CW0081796-81797)		402, 403, 802, INC, CUM, F, AUTH		
PX-686		Competitive Ball Technical Profile-Project # B00-01-0095 (CW0080466-80467)		402, 403, 802, INC, CUM, F, AUTH		
PX-687	11/01/2000	Callaway with Logo in blue-Rule 35-B00-01-0094 (CW0081794-81795)		402, 403, 802, INC, CUM, F, MULT, AUTH		
PX-688	11/02/2004	Physicals for HX and HX TPU Balls (CW0223002)		402, 403, 802, INC, CUM, F, MULT, AUTH		
PX-689	2/27/1998	CB-3 Design Rationale (CW0078770-CW0078771)		402, 403, 802		
PX-690		Callaway golf balls- VP Callaway Golf Ball Product Management (CW001152203-1152255)		402, 403, 802, INC, CUM, F		
PX-691		The Callaway Golf Ball (CW0124330-124335)		402, 403, 802, INC, F		
PX-692		Callaway Golf Ball Company R&D Presented by Felker (CW001649189-1649221)		402, 403, 802, INC, F		
PX-693		THIN WINS!! Cast Thermoset Ployurethane Cover (CW0212871-212874)		402, 403, 802		
PX-694		Callaway 1- Rule #5 Brochure (CW0212938-212965)		402, 403, 802		
PX-695		The Golf Ball Business (CW001072879-1072911)		402, 403, 802, AUTH		
PX-696	9/27/2006	Share Graph and Tables (CW001141029-1141034)		402, 403, 802, AUTH, MULT		
PX-697		Callaway Financials (CW001136853-1137018)		402, 403, 802, MULT, INC		
PX-698	2003	2003 Callaway golf Annual Report		105, 802		
PX-699		Callaway Golf Ball 3-5 Year Projection (CW0009723-9734)		402, 403, 802, MULT, INC		
PX-700	2002 - 2005	Strategic Plan (CW0011446560-1146572)		402, 403, 802, F, INC, MULT		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-701	1/18/1996	Herb Boehm inter-office correspondence to Dennis Allen, Jerry Bellis, Bob Dubiel, David Longfritz, Bill Morgan, George Sine and Wally Uhllein re Meeting Notes (AC0028936.UR-28938.UR)		802		
PX-702	6/28/1996	Hebert Titleist and Foot-Joy Worldwide Inter-office Memo to Dean Snell, Jeff Dalton, Bill Morgan and Herb Boehm re GHO, Layered Performance Ball Testing (AC0040402)		802		
PX-703		PGA Tour Testing: Greater Hartford Open (AC0040544)		802		
PX-704	2/29/2000	Herb Boehm Titleist and Footjoy Worldwide Inter-office Correspondence to Ed Abrain, Dennis Allen, Eric Bartsch, Jerry Bellis, Mary Lou Bohn, Dennis Brissette, et al re Golf Ball Product Development Team Meeting- 2/28/2000 (AC0029132.UR-29136.UR)		402, 403, 802, F, CUM		
PX-705	4/04/2000	Herb Boehm Acushnet Company Inter-office Correspondence re Golf Ball product Development Team Meeting - 4-3-2000 (AC0029156.UR-29158.UR)		402, 403, 802, F, CUM		
PX-706	8/05/2000	Bill Morgan email to Ed Hebert re One of Three (AC0029187.UR)		402, 403, 802, F, CUM, INC		
PX-707	6/05/2000	Bill Morgan email to Ed Herbert re Two of Three (AC0029188.UR-29190.UR)		402, 403, 802, F, CUM		
PX-708	5/30/2000	Bill Morgan Email to Jeff Dalton, Devin Harris re "The Smell of O'Meara, let it not be our self immolation!" (AC0029183.UR-29184.UR)		402, 403, 802, F, CUM		
PX-709	5/30/2000	Ed Abrain email to Bill Morgan and Herb Boehm re "The smell of O'Meara, let it not be our self immolation!" (AC0040463-464)		402, 403, 802, F, CUM		
PX-710	5/30/2000	Bill Morgan email to Herb Boehm re "The smell of O'Meara, let it not be our self immolation!"(AC0069564)		402, 403, 802, F, CUM		
PX-711	6/05/2000	Bill Morgan email to Ed Herbert re Three of three (AC0029191.UR-2194.UR)		402, 403, 802, F, CUM		
PX-712	6/07/2000	Megan Morgan email to Jeff Dalton, Bill Morgan and Ed Hebert re Phil Mickelson meets veneer (AC0040465)		802		
PX-713	9/22/2000	Golf World Article titled "Going to Great Lengths" (AC0089569)		402, 403, 802, F, CUM, INC		
PX-714	6/29/2000	Jeff Dalton email to Megan Morgan re Veneer + Phil =long email (AC000925-928)		402, 403, 802, F, CUM		

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PX-715	6/29/2000	Bill Morgan email to Heb Boehm, Ed Abrain, Wally Uhllein and Bill Young re Veneer Schedule (AB0038208)		402, 403, 802, F, CUM		
PX-716	4/11/2001	Joe Gomes email to Ed Abrain, Jerry Bellis, Herb Boehm, Mary Lou Bohn, bill Morgan, George sine, Bill Young, Mac Fritz and Wally Uhllein re SI (AC0089600-89605)		402, 403, 802, F, CUM		
PX-717	8/25/2000	Herb Boehm Acushnet company Inter-office Correspondence re Golf ball Product Development Team Meeting- August 24, 2000 (AC0102408.UR-102412.UR)		402, 403, 802, F, CUM		
PX-718	6/19/2006	Kieran Andre email to Troy Lester re Jim Achenbach Questions – Pro V1: 5 Years Later and Pinnacle CLR (AC0080047-80051)		402, 403, 802, F, CUM		
PX-719	10/05/2000	Megan Morgan email to Jack Drumm, Bill Morgan re V-1 Testing at New Albany Classic (AC0028769.UR-28781)		402, 403, 802, F, CUM		
PX-720	6/20/2001	Jerry Bellis email to TREPS re competitive Attacks on the Titleist Pro V1 (AC0034099-34101)		402, 403, 802, F, CUM		
PX-721	10/12/2000	Bill Morgan email to Chris Cavallero (AC0109477.UR-109482.UR)		402, 403, 802, F, CUM		
PX-722	8/18/2001	“Inside Look” Titleist’s Big Makeover by John Steinbreder (AC0089551-552)		402, 403, 802, F, CUM		
PX-723	2/20/2007	SouthCoast Today.com article titled “Economy hits golf industry (CW 0334979-80)		402, 403, 802, F, CUM, DISC		
PX-724	10/12/2000	George Sne email to Golf Bal marketing Team re Pro V1 392-the most played ball in Vegas! (AC0109474.UR-475.ur)		402, 403, 802, F, CUM		
PX-725	4/24/2001	Modified V1 (30 D Cover material) Testing- LGPA, 4/24/01, Austin TX Executive Summary (AC0039772-780)		402, 403, 802, F, CUM		
PX-726	1/20/2002	Wally Uhllein email to Herb Boehm, Bill Morgan, Jerry Bellis, George Sine, Ed Abrain and Joe Nauman re Mickelson ProV1 and Pro V1 Star (AC0030642)		402, 403, 802, F, CUM		
PX-727	8/25/2000	Jack Drumm email to bill Morgan, Heb Boehm, Wally Uhllein re Manchester Lane Testing with Tim Kite August 24, 2000 (AC0028751.UR-754.UR)		402, 403, 802, F, CUM		
PX-728	3/01/2001	Jack Drumm Email to Bill Morgan, re VDC testing with Greg Norman...February 28, 2001 (AC0028851.UR-53.UR)		402, 403, 802, F, CUM		
PX-729	3/30/2001	Jack Drumm email to Bill Morgan re Testing at BellSouth...March 2001 (AC0028861.UR-64.UR)		402, 403, 802, F, CUM		

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PX-730	4/17/2001	Jack Drumm email to Bill Morgan re Field Visit to MCI WorldCom...Hilton Head, SC (AC0028869-28877.UR)		402, 403, 802, F, CUM		
PX-731	9/04/2001	Jack Drumm email to Bill Morgan, Wally Uhllein, Bill Young re O'Meara comments/observations (AC0046373-46375)		402, 403, 802, F, CUM		
PX-732	9/15/2001	Jack Drumm email to Bill Morgan re PGA Tour player observations from St. Louis...September 10, 11,12, 2001		402, 403, 802, F, CUM		
PX-733		Acushnet Objections and Responses to Callaway Golf's 1 st Set of Request For Admissions to Acushnet – Nos. 1-42		402, 403		
PX-734		Acushnet Responses to Callaway's 1 st Set of Interrogatories – Nos. 1-11		402, 403, 802		
PX-735		Acushnet Supplemental Responses to Callaway's 1 st Set of Interrogatories – No. 2		402, 403, 802		
PX-736		Acushnet Second Supplemental Responses to Callaway's 1 st Set of Interrogatories – No.2		402, 403, 802		
PX-737	06/28/2001	Ball Specs for double cover solid core (AC0000875.UR-877.UR)		402, 403, 802, F, CUM, INC, F		
PX-738	01/25/2002	Bal Specs for double cover solid core (AC0000878.UR-880.UR)		402, 403, 802, F, CUM		
PX-739	03/12/2002	Ball Specs for double cover solid core (AC0000881.UR-883.UR)		402, 403, 802, F, CUM		
PX-740	03/08/2002	Ball Specs for double cover solid core (AC0000894.UR-896.UR)		402, 403, 802, F, CUM		
PX-741	11/26/2002	Ball Specs for double cover solid core (AC0000897.UR-899.UR)		402, 403, 802, F, CUM		
PX-742	04/04/2003	Ball Specs for double cover solid core (AC0000900.UR-902.UR)		402, 403, 802, F, CUM		
PX-743	11/03/2004	Ball Specs for double cover solid core (AC0000903.UR-905.UR)		402, 403, 802, F, CUM		
PX-744	11/26/2002	Ball Specs for double cover double solid core (AC0000906.UR-909.UR)		402, 403, 802, F, CUM, INC, F		
PX-745	04/04/2003	Ball Specs for double cover double solid core (AC0000910.UR-913.UR)		402, 403, 802, F, CUM		
PX-746	12/21/1999	Email to Puniello fr Hebert re Cost Analysis of Veneer Ball Mantel- Compression vs. Injection Molding (AC0004173.UR-4176.UR)		402, 403, 802, F, CUM, INC, F		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-747	06/07/2004	RPIM Casing-8660 Elimination by P. Puniello (AC0005369-5373)		402, 403, 802, F, CUM		
PX-748	07/29/2004	Email to Mayer et al re DuPont Order Number DNHP61213A0000-Certification Letter (AC0012365.UR-12376.UR)		AUTH		
PX-749	11/03/2004	Email to Mayer et al re DuPont order Number DNHP68510A0000-Certification Letter (AC0012388.UR-12398.UR)		AUTH		
PX-750	11/10/2004	Email to Mayer et al re DuPont Order Number DNHP69314A0000-Certification Letter (AC0012399.UR-12405.UR)		AUTH		
PX-751	02/28/2005	Email to Mayer et al re DuPont Order Number DNHP76773A0000-Certification Letter (AC0012411.UR-12422.UR)		AUTH		
PX-752	03/21/2005	Email to Mayer et al re DuPont Order Number DNHP78092A0000-Certification Letter (AC12423.UR-12427.UR)		AUTH		
PX-753	04/14/2005	Email to Mayer et al re DuPont Order Number DNHP79899A0000 (AC0012463.UR-12469.UR)		AUTH		
PX-754	04/22/2005	Email to Mayer et al re DuPont Order Number DNHP80554A0000- Certification Letter (AC0012470.UR-12477.UR)		AUTH		
PX-755	05/09/2005	Email to Mayer et al re DuPont Order Number DNHP81758A0000- Certification Letter (AC0012478.UR-12485.UR)		AUTH		
PX-756		Cross Tab Query product SUR 7940 (AC0013175)		402, 403, 802, F, CUM, INC, F		
PX-757		Incoming RAW Material –Quality Assurance Testing Record SURLYN 7940 (AC0013618-136124)		402, 403, 802, F, CUM, INC, F		
PX-758	12/2002	PRO V1 392 Manufacturing Guidelines Ball Plants I & II(AC0018460.UR-18479.UR)		402, 403, 802, F, CUM		
PX-759	12/2000	PRO V1 392 Manufacturing Guidelines Ball Plants I & II(AC0018480.UR-18500.UR)		402, 403, 802, F, CUM		
PX-760	10/2004	PRO V1x -332 Manufacturing Guidelines Ball Plant III (AC18501.UR-18527.UR)		402, 403, 802, F, CUM		
PX-761	12/2000	PRO V1 392 Manufacturing Guidelines Ball Plants I & II (AC18528.UR-AC0018548.UR)		402, 403, 802, F, CUM		

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PX-762	11/2004	PRO V1- 392 Manufacturing Guidelines Ball Plant III (AC18549.UR-18571.UR)		402, 403, 802, F, CUM		
PX-763	11/2002	PRO V1 -392 Manufacturing Guidelines Ball Plants I & II (AC0018572.UR-18592.UR)		402, 403, 802, F, CUM		
PX-764	12/2002	PRO V1x 332 Manufacturing Guidelines Ball Plants I, II and III (AC0018593.UR-18617.UR)		402, 403, 802, F, CUM		
PX-765	10/2004	PRO V1x- 332 Manufacturing Guidelines Ball Plant III (AC0018618.UR-18647.UR)		402, 403, 802, F, CUM		
PX-766		Improved Pro V1 Objective and Core Info (AC0019046.UR-19049.UR)		402, 403, 802, F, CUM, MULT, AUTH		
PX-767	08/09/2000	Email to Donovan et al fr Cavallaro re Veneer Ball Update (AC0019642.UR-19644.UR)		402, 403, 802, F, CUM		
PX-768	08/2000	Veneer Pro V1-392 Manufacturing Guidelines Manual Ball Plants I & II (AC0019804.UR-19825.UR)		402, 403, 802, F, CUM		
PX-769	12/2000	Pro V1 392 Manufacturing Guidelines Ball Plants I & II (AC0020439-20459)		402, 403, 802, F, CUM		
PX-770	08/2000	Veneer (Pro V1-392) Manufacturing Guidelines Manual Ball Plants I & II (AC0020477.UR-20495.UR)		402, 403, 802, F, CUM		
PX-771	01/2001	Titleist Solid Construction Golf Balls PRO V1 392 (AC0026632.UR-26640.UR)		802, DUP, MULT, AUTH		
PX-772	09/2001	PRO V1 392 Manufacturing Guidelines Ball Plants I, II and III(AC0046733.UR-46756.UR)		402, 403, 802, CUM		
PX-773	01/25/2002	Ball Specs for Double cover double solid core (AC0046761.UR-46763.UR)		402, 403, 802, CUM, INC		
PX-774		Ball Info Titleist DT So Lo 2002-228 (AC0055591.UR-55609.UR)		402, 403, 802, CUM, AUTH		
PX-775	12/04/2002	Titleist Pro V1 392 Ball log # 2002-231(AC0055742)		402, 403, 802, CUM, AUTH		
PX-776	12/04/2002	Titleist Pro V1x332 Ball Log # 2002-232 (AC0055744)		402, 403, 802, CUM, AUTH		
PX-777	12/13/2002	Titleist Pro V1 392 and Pro V1x 392 Ball logs (AC0055764-55765)		402, 403, 802, CUM, AUTH		
PX-778		Ball Info # fell through and % Retained (AC0057378.UR-57401.UR)		402, 403, 802, CUM, AUTH		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-779		Ball Specs (AC0057434-57442)		402, 403, 802, CUM, MULT, AUTH		
PX-780		Ball Specs (AC0057444-57462)		402, 403, 802, CUM, MULT, AUTH		
PX-781	2003	Ball Specs (AC0057694-57703)		402, 403, 802, CUM, MULT, AUTH		
PX-782		Ball Specs (AC0057704-57713)		402, 403, 802, CUM, MULT, AUTH		
PX-783	01/05/2005	Titleist Pro V1 392 (Ball) Shore D (AC0059632-59642)		402, 403, 802, CUM, MULT, AUTH		
PX-784		Ball Specs (AC0059777-59787)		402, 403, 802, CUM, MULT, AUTH		
PX-785		Ball Specs (AC0059681-59686)		402, 403, 802, CUM, MULT, AUTH		
PX-786		Ball Specs (AC0059816-59831)		402, 403, 802, CUM, MULT, AUTH		
PX-787		Ball Spec (AC0059901.UR)		402, 403, 802, CUM, AUTH		
PX-788		Ball Specs (AC0059948-59956)		402, 403, 802, CUM, AUTH		
PX-789		Ball Specs (AC0059965-59968)		402, 403, 802, CUM, AUTH		
PX-790		Appendix III the Ball (CW0055452)		402, 403, 802, CUM, AUTH, INC		
PX-791		DuPont Surlyn 7940 Product Description (CW0307285-307287)				
PX-792	03/2004	Du Pont Surlyn 8940 Data Sheet - March 2004 (CW0307288-307290)				
PX-793	8/05/1996	Settlement Agreement between Spalding & Evenflow Companies Inc., Lisco, Inc., and Acushnet Company		UNK		
PX-794	2/08/2007	Hearing Transcript in the instant case		402, 403, 802		
PX-795		Document titled, "DuPont Surlyn Thermoplastic Resins Product Information" (Exhibit I to the Request for <i>Inte Partes</i> Reexaminatin of US Patent 6,210,293).		ILL		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-796		Spreadsheet titled "Titleist Solid Construction Golf Balls" (AC0026632-38.UR)		802, AUTH		
PX-797		U.S. Patent No. 5,856,388		402, 403, 802, CUM		
PX-798	6/19/2006	Acushnet Company's Objections and Responses to Callaway Golf's Sirst Set of Interrogatories [Nos. 1-11]		402, 403, 802		
PX-799	1/24/2006	Exhibit A to the Acushnet Rule 1.132 Declaration of Edmund Herbert and identified as an Acushnet 1993 "competitive ball report" which was submitted with Acushnet's Petition for inter Partes Reexamination of U.S. Patent 6,595,873		802, MULT		
PX-800		U.S. Patent No. 5,383,858.		402, 403, 802, CUM		
PX-801		U.S. Patent No. 5,554,389		402, 403, 802		
PX-802	10/05/2005	Article titled "Golf's New Handdicap: Technology" by Mark McClusky published by <i>Wired News</i>		402, 403, 802, CUM, AUTH		
PX-803	10/15/1987	Memo from Steve Aoyama of titlest Golf Division to John Jepson [AC0078432-AC0078436]		402, 403, 802, CUM, AUTH		
PX-804	11/1995	Standard titled "Standard Test Method for Rubber Property- Durometer Hardness (Designation: D 2240-95) issued by the American Standard Society Testing and Materials				
PX-805	11/01/2005	U. S. Patent No. 6,690,630 (CW 0301046-058)		402, 403, 802, CUM		
PX-806	11/16/2004	U. S. Patent No. 6,818,705 (AC0021327-346)		402, 403, 802, CUM		
PX-807	10/26/1999	U. S. Patent 5,971,869 (CW 0296056-066)		402, 403, 802, CUM		
PX-808	10/10/1975	Patent Specification for Acushnet's Application 4,230,375		UNK		
PX-809		Acushnet Company's Answer to Callaway's Complaint and Demand for Jury Trial		105		
PX-810	10/19/2000	Fortune Brands News Release, http://www.fortunebrands.com/news/ReleaseDetail.cfm? ReleaseID=26156&ReleaseType=Earnings (Exhibit A to Halkowski Declaration re Motion to Stay)		402, 403, 802, CUM, AUTH		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-811	12/06/2001	Peter A. Arturi letter to Joseph J. Nauman re Acushnet's potential infringement of US Patent No .6,210,293 (Arturi Declaration Ex. A)		408, 802, CUM, DUP		
PX-812		Ball Exemplar: Callaway Golf RULE-35 RED Golf Ball (1 5-ball sleeve) Bates No. CW 0325854		UNK, 105, DISC		
PX-813		Ball Exemplar: Callaway Golf RULE-35 BLUE Golf Ball (1 5-ball sleeve) Bates No. CW 0325855		UNK, 105, DISC		
PX-814		Ball Exemplar: Callaway Golf HX BLUE Golf Ball (1 12-ball Box) (CW 0325856, CW 0325865, CW 0325859)		UNK, 105, DISC		
PX-815		Ball Exemplar: Callaway Golf HX RED Golf Ball (1 12-ball Box) (CW 0325857, CW 0325858, CW 0325860)		UNK, 105, DISC		
PX-816		Ball Exemplar: Callaway Golf HX Tour Original Golf Ball (1 12-ball Box) (CW 0325864)		UNK, 105, DISC		
PX-817		Ball Exemplar: Callaway Golf HX Tour Improved Golf Ball (1 12-ball Box) CW 0325862		UNK, 105, DISC		
PX-818		Ball Exemplar: Callaway Golf HX Tour 56 Original Golf Ball (1 12-ball Box) CW 0325861		UNK, 105, DISC		
PX-819		Ball Exemplar: Callaway Golf HX Tour 56 Improved Golf Ball (1 12-ball Box) CW 0325863		UNK, 105, DISC		
PX-820		Ball Exemplar: Ben Hogan Tour Deep 2005 Golf Ball (1 12-ball Box) CW 0325466		UNK, 105, DISC		
PX-821	2005	2005 Titleist Pro V1 Golf Ball Box with 3 (3) ball sleeves AC 120092				
PX-822	2005	2005 Titleist Pro V1X Golf Ball Box with 3 (3) ball sleeves AC 120091				
PX-823	2007	2007 Titleist Pro V1 Golf Ball Box with 3 (3) ball sleeves AC 83472				
PX-824	2007	2007 Titleist Pro V1 Golf Ball Sleeves AC 83472.1, AC 83472.2, AC 83472.3				

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-825	2007	2007 Titleist Pro V1X Golf Ball Box with 3 (3) ball sleeves AC 83470				
PX-826	2007	2007 Titleist Pro V1 Golf Ball Sleeves AC 83470.1, AC 83470.2, AC 83470.3				
PX-827		Titleist Professional Golf Ball & Box		UNK		
PX-828		Callaway Golf CTU 30 Ball Sleeves and Box		UNK, 105		
PX-829	02/10/2006	Article published on ESPN.com "Callaway files Lawsuit over Patents" by E. Michael Johnson and Mike Stachura CW 0280247 – CW 0280248		402, 403, 802, AUTH		
PX-830	02/10/2006	Article published on Golfdigest.com "Callaway files Lawsuit over Patents" by E. Michael Johnson and Mike Stachura CW 0280252 – CW 0280253		402, 403, 802, CUM, AUTH		
PX-831	02/13/2006	Article published in the Web Street Golf Report Vol. 9 No. 6 CW 0280257 – CW 0280267		402, 403, 802, CUM, AUTH		
PX-832	8/17/2001	Awtrey, PGA Notebook		UNK		
PX-833	01/22/2001	Faxon Pulls Away in Sony Open by Harry Blayvelt, USA Today		UNK		
PX-834	2/14/2001	So Far, Paxon playing like a million, by Blauvelt, USA Today		UNK		
PX-835	5/08/2001	Factiva - Fourtune Brand Launches New Product		UNK		
PX-836	4/05/2001	The Detriot News, "Improving ball makes it easier for touring pros", by Kupelian (CW 000383950- CW 000383953)		402, 403, 802, CUM, F, DISC		
PX-837	4/05/2001	USA Today, Mickelson: It's my time by Blauvelt		UNK		
PX-838	3/20/2001	The Atlanta Constitution, Love comes Around by Gleen Sheely (CW 000383954-000383957)		402, 403, 802, CUM, F, DISC		
PX-839	9/02/2007	That 70's Show by - Links to the Past by Tad Reeve, Pioneer Press		UNK		
PX-840	6/2001	Golf Digest, Mortally Wounded? by E. Michael Johnson (CW 280206)		402, 403, 802, CUM, F		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-841	2000	Titleist – Introducing Tour Distance (CW 0091223 – CW 0091228)		402, 403, 802, CUM, F		
PX-842		NOV. Choice Mag Article on Rule 35 Ball. Pp 42-47 (CW 0173648- CW 0173652)		402, 403, 802, CUM, F		
PX-843		Seal- The COMING Golf Ball wars-Golf Industry- LOOK SMART (CW 0280182-CW 0280190)		402, 403, 802, CUM, F		
PX-844	1/04/2000	Article published on ESPN Golf Online-- Callaways ball to make unofficial debut at Kapalua (CW 0051921)		402, 403, 802, CUM, F		
PX-845	1/21/2001	Ads published in Golf World mag --- CW 0280534-CW 0280539)		402, 403, 802, CUM, F		
PX-846	1/22/2000	Articles published in Golf Week- (CW 0280384-CW 0280388)		402, 403, 802, CUM, F		
PX-847	1/26/2000	Articles published in Golf Week (CW 0280389- CW 0280392)		402, 403, 802, CUM, F		
PX-848	2/04/2000	Article published in Wall Street Journal Market Place- Biddle- Fore! Callaway golf, Maker of Big Bertha Clubs, Tees up a New Ball. (CW 0056893)		402, 403, 802, CUM, F		
PX-849	2/04/2000	Articles published in Golf World – Ripple Effect. (CW 0056895- CW 0056899)		402, 403, 802, CUM, F		
PX-850	2/04/2000	Article published on PGA.Com—McAndrew- Callaways ball fate now in consumers hands (CW 0056910-CW 0056911)		402, 403, 802, CUM, F		
PX-851	2/04/2000	Article published on PGA.com- Pike- Callway Launches its ball with a bang. (CW 0056912-CW0056913)		402, 403, 802, CUM, F		
PX-852	2/04/2000	Article produced on PGA Tour.com- Stogel- Play Ball: Callaway intrduces the Rule 35 (CW 0056914-CW 0056915)		402, 403, 802, CUM, F		
PX-853	2/07/2000	Article published on GolfDigest.com- Sirak- Making a splash, Callway golfs 160 million golf ball gamble hits the market and immediately makes waves. (CW 0056960-CW0056964)		402, 403, 802, CUM, F		
PX-854	2/04/2000	Yash et al – Callaway golf ball Co. Introduces the new Callaway Rule 35 golf balls- The easiest choice golfers will ever make. (CW 0212850-CW 0212852)		402, 403, 802, CUM, F		
PX-855		Articles and ads from Callaways callawaygolfball.com (CW 0214808-CW 0214818)		402, 403, 802, CUM, F		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-856	2/04/2000	Article published in the San Diego Union Tribune – Freeman- Rule 35’ tees off Callaway golf puts a new ball into play (CW 0223521-CW 0223522)		402, 403, 802, CUM, F		
PX-857	2/04/2000	Article published in the Wall Street Journal Market place- Biddle- Fore- Callaway Golf, Maker of the big bertha Clubs, Tees up a new ball. (CW 0223524)		402, 403, 802, CUM, F		
PX-858	2/05/2000	Article published in Golf Week- Achenbach- Long on Promises, Short on Explanation- Callaway silent on science of new ball (CW 0056905-CW 0056907)		402, 403, 802, CUM, F		
PX-859	2/05/2000	Article – Graves – Callway Enters the Ball Game (CW 0056908-CW 0056909)		402, 403, 802, CUM, F		
PX-860	2/05/2000	Article published on NYtimes.com –Blank- 2 Makers of Golf Balla in Market-Share War. (CW 0056919-CW 0056921)		402, 403, 802, CUM, F		
PX-861	2/05/2000	Articles and ads published on GolfWeek (CW 0280393-CW0280397)		402, 403, 802, CUM, F		
PX-862	2/07/2000	Article published in Sports Illustrated- Garrity et al- I’ve got a secret- Callaway spent yesars and millions, covertly developing the new rule 35 ball. No wonder the company panicked when a man who kenw to much quit to join the competition. (CW 0159532-CW 0159535)		402, 403, 802, CUM, F		
PX-863	2/09/2000	Article published on Usatoday.com- Potter- Club maker stakes a claim for slice of 1.5 b ball market (CW 0253480-CW 0253482)		402, 403, 802, CUM, F		
PX-864	2/18/2000	Articles published in the GolfWorld magazine- (CW 0280525-CW 0280528)		402, 403, 802, CUM, F		
PX-865	2/19/2000	Articles published in GolfWeek (CW 0280398-CW 0280403)		402, 403, 802, CUM, F		
PX-866	2/26/2000	Articles published in GolfWeek (CW 0280404-CW 0280409)		402, 403, 802, CUM, F		
PX-867	2/27/2000	Article published on the Palm Beach Post- Dolch- May the Best Ball win (CW 0253470-CW 0253473)		402, 403, 802, CUM, F		
PX-868	3/2000	Article published in the Golf Magazine- Sauerhaft- Which ball for you? How to find the best ball for your game. (CW 0253475-CW 0253477)		402, 403, 802, CUM, F		
PX-869	3/17/2000	Articles published in Golf World (CW 0280529-CW 0280533)		402, 403, 802, CUM, F		

TRIAL Ex. No.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-870	3/18/2000	Articles published in Golf Week (CW 0280410-CW 0280414)		402, 403, 802, CUM, F		
PX-871	3/24/2000	Ads and Articles published in GolfWorld (CW 0280609-CW 0280612)		402, 403, 802, CUM, F		
PX-872	4/2000	Ads published in GolfWeek 25 th Anniversary- (CW 0280415-CW 0280417)		402, 403, 802, CUM, F		
PX-873	4/01/2000	Articles and ads published in GolfWeek- (CW 0280418-CW 0280423)		402, 403, 802, CUM, F		
PX-874	4/2000	Articles and Ads published in Golf World (CW 0280625-CW 0280629)		402, 403, 802, CUM, F		
PX-875	4/07/2000	Articles and Ads published in GolfWorld- (CW 0280613-CW 0280616)		402, 403, 802, CUM, F		
PX-876	4/08/2000	Articles and Ads published in GolfWeek (CW 0280424-CW 0280430)		402, 403, 802, CUM, F		
PX-877	4/14/2000	Ads published in GolfWorld – (CW 0280617-CW 0280619)		402, 403, 802, CUM, F		
PX-878	4/15/2000	Articles and ads published in GolfWeek (CW 0280431-CW 0280434)		402, 403, 802, CUM, F		
PX-879	4/21/2000	Articles and ads published in Golf World (CW 0280620-CW 0280624)		402, 403, 802, CUM, F		
PX-880	4/22/2000	Articles and Ads published in Golfweek (CW 0280435-CW 0280437)		402, 403, 802, CUM, F		
PX-881	4/29/2000	Ads published in Golfweek- (CW 0280438-CW 0280440)		402, 403, 802, CUM, F		
PX-882	5/2000	Article published on wired news – Lewis- Callaway hired a team of aerospace engineers to help perfect its game and they’re not the only rocket scientists on the golf course these days. (CW 0280191-CW 0280195)		402, 403, 802, CUM, F, AUTH		
PX-883	5/2000	Ad published in Golfweek (CW 0280445-CW 0280446)		402, 403, 802, CUM, F		
PX-884	5/19/2000	Articles and ads published in GolfWorld- (CW 0280637-CW 0280640)		402, 403, 802, CUM, F		
PX-885	5/12/2000	Articles and ads published in Golf World- (CW 0280633-CW 0280636)		402, 403, 802, CUM, F		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-886	5/13/2000	Ads and Articles published in Golfweek (CW0280441-CW 0280444)		402, 403, 802, CUM, F		
PX-887	5/20/2000	Ads and Articles published in Golf Week- (CW 0280447-CW 0280451)		402, 403, 802, CUM, F		
PX-888	5/26/2000	Ads and articles published in Gold World (CW 0280641-CW 0280649)		402, 403, 802, CUM, F		
PX-889	5/27/2000	Ads and articles published in Golf Week (CW 0280452-CW 0280455)		402, 403, 802, CUM, F		
PX-890	6/03/2000	Articles and ads published in Golfweek (CW 0280456-CW 0280461)		402, 403, 802, CUM, F		
PX-891	6/10/2000	Articles published in Golfweek (CW 0280462-CW 0280467)		402, 403, 802, CUM, F		
PX-892	6/17/2000	Articles and Ads published in Golfweek (CW 0280468-CW 0280471)		402, 403, 802, CUM, F		
PX-893	6/21/2000	Article published on Nikegolf.com- Woods switching to Nike Ball Move May increase companys market share (CW 0064393- CW 0064394)		402, 403, 802, CUM, F		
PX-894	6/14/2000	Articles and ads published in GolfWeek (CW 0280472-CW 0280476)		402, 403, 802, CUM, F		
PX-895	7/01/2000	Articles and ads published in GolfWeek (CW 0280477-CW 0280483)		402, 403, 802, CUM, F		
PX-896	7/22/2000	Articles published in GolfWeek- (CW 0280484-CW 0280487)		402, 403, 802, CUM, F		
PX-897	7/29/2000	Articles published in Golfweek (CW 0280488-CW 0280491)		402, 403, 802, CUM, F		
PX-898	8/12/2000	Articles published in Golfweek (CW 0280492-CW 0280495)		402, 403, 802, CUM, F		
PX-899	8/18/2000	Article published in Golf World business (CW 0197847)		402, 403, 802, CUM, F		
PX-900	6/05/2000	E-mail from Bill Morgan to Ed Hebert forwarding an e-mail chain between George Sine, Herb Boehm, Bill Young, and Ken Graham from multiple dates , 5/24/2000, 5/30/2000 re Tiger- Tour Accuracy and Golf World Business E-mail AC 029185.UR – AC 029194.UR		402, 403, 802, CUM		

TRIAL Ex. No.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-901	5/21/1979	Sullivan Laboratoy Notebook (CW 610757 – CW 610862)		402, 403, 802, CUM, AUTH		
PX-902	1/21-8/14/1980	Sullivan Laboratory Notebook (CW 610863 – CW 610971)		402, 403, 802, CUM, AUTH		
PX-903	8/15/1980 – 1/30/1981	Sullivan Laboratory Notebook (CW 610972 – CW 611080)		402, 403, 802, AUTH, CUM		
PX-904	1/31/1981	Sullivan Laboratory Notebook (CW 611082 – CW 611131)		402, 403, 802, CUM, AUTH		
PX-905		Sullivan Laboratory Notebook pages (CW 611188.01)		402, 403, 802, CUM, AUTH, UNK, INC, DISC		
PX-906	6/12/1984 – 10/1984	Sullivan Laboratory Notebook (CW 611133 – CW 611245)		402, 403, 802, CUM, AUTH		
PX-907	12/1984	Sullivan Laboratory Notebook (CW 611246 – CW 611298)		402, 403, 802, CUM, AUTH		
PX-908	12/1984	Sullivan Laboratory Notebook pages (CW 611298.01 – CW 611298.57)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-909	8/28/1985	Sullivan Laboratory Notebook (CW 611299 – CW 611405)		402, 403, 802, CUM, AUTH		
PX-910		Sullivan Laboratory Notebook pages (CW 611389.01)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-911		Sullivan Laboratory Notebook pages (CW 611401.01)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-912	3/08/1986	Sullivan Laboratory Notebook (CW 611406 – CW 611511)		402, 403, 802, CUM, AUTH		
PX-913		Sullivan Laboratory Notebook pages (CW 611425.01 – CW 611425.02)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-914		Sullivan Laboratory Notebook pages (CW 611434.01)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-915		Sullivan Laboratory Notebook pages (CW 611489.01 – CW 611489.09)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-916		Sullivan Laboratory Notebook pages (CW 611492.01)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-917		Sullivan Laboratory Notebook pages (CW 611503.01)		402, 403, 802, CUM, AUTH, INC, DISC		

TRIAL Ex. No.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-918		Sullivan Laboratory Notebook pages (CW 611505.01)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-919	1/12/1987 – 6/04/1987	Sullivan Laboratory Notebook (CW 611512 – CW 611559)		402, 403, 802, CUM, AUTH		
PX-920		Sullivan Laboratory Notebook pages (CW 611517.01)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-921		Sullivan Laboratory Notebook pages (CW 611520.01)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-922		Sullivan Laboratory Notebook pages (CW 611559.01 – CW 611559.60)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-923	5/02/1988- 12/1988	Sullivan Laboratory Notebook (CW 611560 – CW 611620)		402, 403, 802, CUM, AUTH		
PX-924		Sullivan Laboratory Notebook pages (CW 611563.01 – CW 611563.45)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-925	9/06/1996	Sullivan Laboratory Notebook (CW611621 – CW 611725)		402, 403, 802, CUM, AUTH		
PX-926		Sullivan Laboratory Notebook pages (CW 611660.01)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-927	3/21/1991	Sullivan Laboratory Notebook (CW 611726 – CW 611821)		402, 403, 802, CUM, AUTH		
PX-928		Sullivan Laboratory Notebook pages (CW 611746.01)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-929		Sullivan Laboratory Notebook pages (CW 611780.01)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-930		Sullivan Laboratory Notebook pages (CW 611790.01)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-931		Sullivan Laboratory Notebook pages (CW 611804.01 – CW 611804 .02)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-932		Sullivan Laboratoy Notebook pages (CW 611805.01 – 611805.03)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-933		Sullivan Laboratory Notebook pages (CW 611815 .01)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-934		Sullivan Laboratory Notebook pages (CW 611820.01)		402, 403, 802, CUM, AUTH, INC, DISC		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-935	9/1992	Sullivan Laboratoy Notebook (CW 611822 – 611909)		402, 403, 802, CUM, AUTH		
PX-936		Sullivan Laboratory Notebook pages (CW 611822.01 – 611822.03)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-937		Sullivan Laboratory Notebook pages (CW 611832.01)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-938		Sullivan Laboratory Notebook pages (CW 611856.01)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-939		Sullivan Laboratory Notebook pages (CW 611862.01)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-940		Sullivan Laboratory Notebook pages (CW 611865.01)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-941		Sullivan Laboratory Notebook pages (CW 611866.01)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-942		Sullivan Laboratory Notebook pages (CW 611875.01 – 611875.05)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-943		Sullivan Laboratory Notebook pages (CW 611884.01)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-944		Sullivan Laboratory Notebook pages (CW 611894.01 – CW 611894.02)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-945		Sullivan Laboratory Notebook pages (CW 611897.01 – CW 611897.02)		402, 403, 802, CUM, AUTH, INC, DISC		
PX-946	1/18/2000	Callaway comparison Table re Golf Balls		UNK		
PX-947	8/23/2000	Acushnet v. Spalding - Motion to Dismiss or Alternativley, to Stay or Transfer		UNK, 402, 403		
PX-948	8/23/2000	Acushnet v. Spalding - Defendants Memorandum in Support to Dismiss or Alternatively, to Stay or Transfer		UNK, 402, 403		
PX-949		2002 U.S. Top Grade Golf Ball Sales (AC 45999.UR – 46016.UR)		402, 403, 802, CUM		
PX-950		Product Analysis Sales 2007 Pro V1 and Pro V1x sales data through September 2007 (AC 131669 – AC 131765)		402, 403, 802, CUM		
PX-951	1996	Settlement agreement between Spalding and Acushnet		402, 403, 408, 802, CUM, INC, DUP		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-952		Prediciting distance: Pro V1 graphs (AC 101042.UR – 101048.UR)		402, 403, 802, CUM, INC		
PX-953		Email from Wally Uihlein to Ed Abbrain, Jerry Bellis, George Sine, Mary Bohn and Herb Boehm re US Ball volumes 01 versus 00 (AC 101049.ur)		402, 403, 802, CUM		
PX-954		New Pro v1 Product Brief (AC010150.ur – AC101062.ur)		402, 403, 802, CUM, MULT, F, DUP		
PX-955	10/10/2000	Titleist High Performance Multi-Component Golf Ball to Debut at Las Vegas Invitational (AC 101063 .ur - AC 101065.ur)		402, 403, 802, CUM, AUTH		
PX-956	10/16/2000	Andrade Hits Jackpot in Las vegas with New titlest Pro V1 392 golf ball by Achushnet (AC 101068.ur – AC 101070.ur)		402, 403, 802, CUM		
PX-957	10/23/2000	Tour Confirmed (AC 101071.ur)		402, 403, 802, CUM		
PX-958	11/3/2000	Letter from Jerry Bellis and George Sine jr. to Titlest Sales and Respresentaive and Sales Leaders re launch of Titlest Pro V1 golf ball		UNK		
PX-959	3/29/2001	Email from Joe Gomes to George Sine and Pat Geyer forwarding article from The Detroit News entitled “Talking with ... George Sine, Acushnet Company” (AC 0036676 – AC 0036677)		402, 403, 802, CUM, AUTH		
PX-960	10/30/2000	Email from Kieran Andre to Nancy Gates-Hickney re updates to Titlest Pro V1 392 creative Brief (AC 0033853 – Ac 33856)		402, 403, 802		
PX-961	10/2/2000	Email fr Adam Bradshaw to Carla Fizgerald, Kieran Andre. Bryan Gillis, Mike Stephens and George Sine re New Titlest Pro NT – D Creative Brief (AC 0033818 – AC 0033822)		402, 403, 802, CUM		
PX-962		The best ball for you - Titlest Pro V1 Features (AC 44468 – AC 44475)		402, 403, 802, CUM, AUTH		
PX-963	8/15/2000	Letter from Steve McCracken to Joseph Nauman re Acushnet Golf Ball Patents (CW 274660) [Subject to FRE 408]		402, 403, 408, 802, CUM		
PX-964	1/02/2001	Letter from Troy Lester to Mike Catania re Acushnet Golf Ball Patents (CW 274543 – 274545)		402, 403, 408, 802, CUM		
PX-965		Settlement agreement between Acushnet and Callaway		UNK		
PX-966	8/25/1999	Email to Wally Uihlein fr Herb Boehm re interview with Mike Sullivan (AC 0080259 – AC 0080262)		402, 403, 802, CUM		

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PX-967	4/13/2001	Memorandum to Troy Lester from Mike Sullivan re competitive patent review to planned product introductions (AC 0120495-AC 0120496)		802, CUM, AC, INC		
PX-968	4/03/2001	Email to Bill Morgan et al. from Jeff Dalton re Possible prior art in re to '293 patent. (AC 0120361 – 0120362)		802, DUP, MULT		
PX-969	4/11/2001	Letter to Joseph Nauman et al. from Troy Lester re Invalidity Investigation of U.S. Patent 6,210,293 issued to Spalding Sports Worldwide on April 3, 2001 (AC 0120363 – AC 0120413)		802, DUP		
PX-970	4/17/2001	Invalidity Opinion of Counsel of U.S. Patent No. 6,210,293 to Sullivan Assigned to Spalding Sports Worldwide, Inc. for: Multi-Layer Golf Ball (AC 115679 – AC 115750)		DUP		
PX-971	12/06/2001	Letter from Peter Arturi to Joseph Nauman re Infringing U.S. Patent 6,210,293 and 6,213,894 (CW 0615303)		402, 403, 408, 802, CUM, INC, DUP		
PX-972	9/12/2002	Email from Joe Nauman to Peter Arturi et al. re Proposed Urethan License (AC 0100035 – AC 0100038)		402, 403, 408, 802, CUM, INC, MULT		
PX-973		January 2001 Sales Meeting by Bill Morgan (AC 28380 – AC 28437.ur)		402, 403, 802, CUM		
PX-974	6/19/2001	Email from George Sine to Adam Bradshaw et al. re The Pro V1 It Ain't – DRAFT of note to TREPS (AC 0034094 – AC 0034096)		402, 403, 802		
PX-975	01/16/2007	Acushnet Company Presentation entitled "Titleist Golf Balls 2007Sales & Marketing Preview" (AC 0120033 – AC 0120047)		402, 403, 802, CUM, F		
PX-976	4/16/2001	Sports Illustrated, Golf Plus the Masters, "Great Balls of Fire" by John Garrity (CW 173581 - CW 173584)		402, 403, 802, CUM, AUTH		
PX-977	3/14/2001	New-generation ball Shaking Golf to the Core", by Jerry Potter, USA Today (CW 0280202 - CW 250205)		402, 403, 802, CUM, AUTH		
PX-978	5/2001	Golf Ball Sales on-course pro shops descending average selling price (AC 023741.ur – AC 23864.ur) - 23756		402, 403, 802, CUM, INC		
PX-979	10/17/2006	Acushnet Company presentation entitled "Titleist Golf Balls 2006 Sales & Marketing Preview" (AC 119980 – AC 120002)		402, 403, 802, CUM, INC		
PX-980	12/07/2001	Ltr to Arturi et al fr Nauman re US Patent No 293 and 894 Titleist PRO V1 (CW0274118-CW0274121)		402, 403, 408, 802, DUP		
PX-981	1/16/2002	Ltr to Nauman et al fr Arturi re US Patents No 293 and 894 Titleist PRO V1 (CW0274115-CW0274116)		402, 403, 408, 802, DUP		

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PX-982	12/18/2000	Letter fr Nauman to McCracken re the Lynch, Hebert, and Calabria patents attaching Patent License Proposal (CW 0274558 - 0274560)		402, 403, 408, 802, CUM		
PX-983	7/21/2002	Southcoast Today, Economy hits golf industry Acushnet Co. layoffs are just a symptom by Aaron Nicodemus (CW 334979 – CW 334980)		402, 403, 408, 802, CUM, AUTH, DISC		
PX-984	10/13/2000	Golf World Vol. 54 No. 17, The Bunker, The Fall Offensive edited by Geoff Russell (AC 0089559)		402, 403, 802, CUM		
PX-985	5/01/2000	Veneer Core Srearch (AC 0041525.ur – AC 0041527.ur)		402, 403, 802, CUM, AUTH		
PX-986	9/22/2000	Golf World, Going to Great Lengths (AC 0089569)		402, 403, 802, CUM, AUTH		
PX-987	10/12/2000	Email to Cavallaro et al fr Morgan re V1 is Huge and so is this email (AC0109477.UR-AC0109482.UR)		402, 403, 802, CUM		
PX-988	4/24/2001	The Pantagraph, “Golfers Scrambling for Titleist Pro V1” by Kate Arthur (AC 089667)		402, 403, 802, F, INC		
PX-989	6/12/1996	Titleiest R&D Invention Record re layered ball with thin thermoset surface (AC 131665 – AC 131668)		105, 802		
PX-990		Titleist Pro V1 Timeline 6/00-7/23/07 (AC 131527 – AC 131533)		402, 403, 802, CUM, AUTH		
PX-991	7/2002	Spalding Company Timeline (CW 1851395 – CW 1851397)		402, 403, 802, AUTH		
PX-992	3/14/2007	Callaway Golf Notice of 30b6 Depo of Acushnet		402, 403		
PX-993	02/01/2007	Callaway Amended Notice of Depo Pursuant to 30b6		402, 403		
PX-994	11/07/2006	Callaway Golfs First Notice of Depos Pursuant to 30b6		402, 403		
PX-995		PRO V1 Power Point Slide Show (AC 0000072.UR – AC 0000097.UR)		402, 403, 802, CUM, AUTH		
PX-996		Titleist Golf Ball market Industry Power Point Slides (AC 0020562.UR-606.UR)		402, 403, 802, AUTH		
PX-997	1/2001	Titleist – January 2001 Sales Meeting (AC 0023618.UR-740.UR)		402, 403, 802, CUM, DUP		

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PX-998	7/2001	Titleist – January 2001 Sales Meeting (AC 0023741.UR - 864.UR)		402, 403, 802, CUM, DUP		
PX-999	1/2001	Titleist – January 2001 Sales Meeting Power Point Slides (AC 0028380.UR - 437.UR)		402, 403, 802, CUM, DUP		
PX-1000	6/20/2001	E-mail from George Sine re “The Pro V1 it ain’t” (AC 0034094-96)		402, 403, 802, CUM		
PX-1001	2/09/2001	Acushnet Company Press Release: “New Titleist Pro V1 Marketplace success mirrors Tour Success” (AC 0034564-65)		402, 403, 802, CUM		
PX-1002	12/20/2000	E-mail from George Sine re “Capital Core Expansion” (AC 0036645-46)		402, 403, 802, CUM		
PX-1003	4/08/2005	E-mail from Adam Bradshaw to George Sine re Atlanta Co- Travel (AC 0045267.UR - 269.UR)		402, 403, 802, CUM		
PX-1004	9/22/2005	Acushnet Company Sales and Market Data Power Point Slides (AC 0048551-77)		402, 403, 802, CUM, INC		
PX-1005	7/18/2005	Acushnet Company Financial Review Power Point Slides (AC 0048578-579)		402, 403, 802, CUM, INC		
PX-1006	6/28/2001	E-mail from Mark Goldstein to Jerry Bellis re “Mass Mercant Forecast Changes” (AC 0090056)		402, 403, 802, CUM		
PX-1007	11/07/2000	Power Point Slides, E-mails, Press Releases from October and November 2000 re Pro V1 (AC AC 00101042-72)		402, 403, 802, INC, CUM, AUTH, MULT		
PX-1008	10/17/2006	Acushnet Company Golf Balls Sales & Marketing Review Power Point Slides (AC 0119980-120047)		402, 403, 802, CUM, INC		
PX-1009	2/20/2007	Bridgestone Sports v Acushnet Company C.A. No. 05-132 (JJF) Declaration of Gerald M. Bellis		802		
PX-1010	6/30/2000	Settlement Agreement between Acushnet and Dunlop Maxfli AB 90062 – AB 90093		402, 403, 802, CUM, DUP		
PX-1011		Golf Ball Mission Statement - George Sine AC 0020946.UR – AC 0020954.UR		402, 403, 802, CUM, AUTH		
PX-1012	5/2001	Golf Ball Sales On-Course Pro Shops AC 0023756.UR – AC 0023757.UR		402, 403, 802, CUM, AUTH		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-1013	2/2002	February 2002 Datatech Competitive Market Share and Average Selling Price (U.S.) (AC 0024026)		402, 403, 802, CUM, INC		
PX-1014	9/19/2005	E-mail Correspondence between George Sine and Acushnet Golf Ball Marketing Team re "Fall Run Check-In and Check-Through" (AC 0080001 – AC 0080027)		402, 403, 802, CUM, INC		
PX-1015	2006	Acushnet 2006 Sales and Marketing document (AC 0080083)		402, 403, CUM, 802		
PX-1016		"A New Super Ball? – Looks like Hit for Titleist" by Tom Yantz – The Hartford Courant (AC 0089661 – AC 0089662)		402, 403, 802, CUM, AUTH		
PX-1017	7/16/2001	"Golf: New Ball a hot item" by Colin Stephenson – The Star-Ledger (AC 0089663 – AC 0089665)		402, 403, 802, CUM, INC		
PX-1018		Titleist Pro V1 – 392 Competitive Overview (AC 0101051.UR)		402, 403, 802, CUM, INC		
PX-1019	9/17/2001	E-mail correspondence between George sine and Golf Ball board of directors re Pro V1 Naming Process (AC 0101073.UR)		402, 403, CUM, 802		
PX-1020		"Inside Look, Titleist's Big Makeover" – By John Steinbreder (CW 0009057)		402, 403, 802, CUM		
PX-1021	10/08/2002	E-mail Correspondence between Peter Arturi and Joe Nauman re Proposed Urethane License (CW 0274041) [Subject to FRE 408]		402, 403, 408, 802, CUM		
PX-1022		Proposed License agreement between Spalding Sports Worldwide and Acushnet Company (CW 0274055 – CW 0274066)		402, 403, 408, 802, CUM, DUP		
PX-1023	1/16/2002	Confidential Settlement Communication – Letter from Peter Arturi to Joseph Nauman re U.S. Patent Nos. 6,201,293 and 6,213,894/TITLEIST PRO V1 – (CW 0274115 – CW 0274116)		402, 403, 408, 802, CUM, DUP		
PX-1024	12/18/2000	Letter from Joseph Nauman to Steven McCracken re Patent License Proposal (CW 0274558 – CW 0274560)		402, 403, 408, 802, CUM, DUP		

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PX-1025	11/15/1990	Settlement Agreement between Spalding & Evenflo Companies Inc., and Acushnet Company (CW 0273914 – CW 0273940)		402, 403, 802, DUP		
PX-1026	2003	U.S. 2003 Retail Golf Ball Market (CW 01138630 – CW 01138637)		402, 403, 802, INC		
PX-1027	9/28/2007	Bridgestone v. Acushnet license agreement (AC 131465 – AC 1314688)		402, 403, 802, F, INC		
PX-1028		Titleist Golf Ball Workshop Discussion Points - (AC 20645 – 20664)		402, 403, 802, CUM, AUTH		
PX-1029	11/08/2000	Achusnet Company letter to customers introducing the new Pro V1 ball (CW 616140)		402, 403, 802, F		
PX-1030	6/01/2007	Schedule to Brian Napper Expert Report		UNK		
PX-1031	10/31/2006	Acushnet Company objections and responses to Callaway Golf First Set of Requests for Admission to Defendant Acuhnet Company [Nos. 1-42]		402, 403		
PX-1032	5/24/2002	Letter to Joesph Nauman to Peter Arturi re settlement proposal (CW 274076 – CW 274084)		402, 403, 408		
PX-1033		Golf DataTech Marketing Intelligence Capabilites presented to Callaway Golf (CW 383334 – CW 383339)		402, 403, 802, F, DISC		
PX-1034	2006	Fixed variable details (CW 383745 – CW 383747)		402, 403, 802, F, AUTH, INC, DISC		
PX-1035	6/20/2004	Final Inspection and Packaging week ending 06-20-04 (CW 383058 – CW 383076)		402, 403, 802, F, AUTH, INC, DISC	X	
PX-1036	07/2006	Prod_History of balls (CW 383264 – 383282)		402, 403, 802, F, AUTH, INC, DISC		
PX-1037	2003-2005	Callaway Golf Company Golf Ball Statement of Operations (CW 383633 – CW 383637)		402, 403, 802, F, AUTH, INC, DISC		
PX-1038	2002-2006	CallawayGolf Sales and Net Margins data (CW 383748 – CW 383888)		402, 403, 802, F, AUTH, INC, DISC		
PX-1039	9/1996	E&S Holding Corporation confidentiality agreement (CW 382815 – CW 382965)		UNK, 402, 403, 802, CUM, AUTH, Mischaracterized, ILL, DISC		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-1040	1997-2007	Darrell Survery "Balls models Played by Year, 1997-2007" (CW 383524 – CW 383527)		402, 403, 802, F, DISC		
PX-1041		Matthew Evans Albertazzi presentation "From 5 to 12 in 18 Callaway Golf Ball strategic communication planning" (CW 9126 – CW 9148)		402, 403, 802, INC		
PX-1042	10/18/2000	Ball Company Update (CW 9518 – CW 9547)		402, 403, 802, F, ILL		
PX-1043		Callaway Golf Ball - Introducing the new Callaway Golf Ball "Rule 35" (CW 56957 – CW 56958)		402, 403, 802, F, AUTH		
PX-1044		CTU 30 Blue and Red features, advantages and benefits (CW 197852 – CW 197856)		402, 403		
PX-1045	12/09/2002	Bear Sterns Equity Research Callaway Golf (Ely – 12.31) Peer Perfrom (OAK 257 – OAK 264)		402, 403, 802, CUM, AUTH		
PX-1046		Chapter 9 Titleist Advertisement (AW 2770)		402, 403		
PX-1047		License Agreement between Acushnet Company and Callaway Golf re US Patent 4,389,365 (AC 045596 - AC 045602)		402, 403, 802, CUM, DUP		
PX-1048		Golf Ball Sales On-Course Pro Shops AC 0023677.UR		402, 403, 802, CUM		
PX-1049	1996	1996 Agreement between Spalding and Acushnet (AC 014586 – AC 014615)		802, CUM		
PX-1050		Callaway documents re Chicopee and Carlsbad (CW 0383059)		402, 403, 802, INC, AUTH, CUM, DISC		
PX-1051		Callaway documents re Chicopee and Carlsbad (CW 0383357 – CW 0383376)		402, 403, 802, INC, AUTH, CUM, DISC		
PX-1052		Callaway documents re Chicopee and Carlsbad (CW 0383340 – CW 0383356)		402, 403, 802, INC, AUTH, CUM, DISC		
PX-1053		Excerpt from Titleist Golf Ball Workshop Discussion Points (AC 020649)		402, 403, 802, CUM, INC, F, AUTH		
PX-1054		Excerpt from Titleist Golf Ball Workshop Discussion Points (AC 020658)		402, 403, 802, CUM, INC, F, AUTH		

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PX-1055	1/16/2007	Excerpt from Titleist Golf Balls 2007 Sales & marketing Preview (AC 0120037)		402, 403, 802, CUM, AUTH, DUP		
PX-1056	5/03/2005	E-mail correspondence from George Sine re "Questions" (AC 033603 – AC 033605)		402, 403, 802, CUM		
PX-1057	2/02/2004	Letter from Craig Omtvedt from William Burke attaching documents (AC 047689.UR – AC 047708.UR)		402, 403, 802, CUM, MULT		
PX-1058	10/17/2006	Acushnet Company 2007 Strategic Plan (AC 0119966 – AC 0119968)		402, 403, 802, CUM, INC, DUP		
PX-1059	10/17/2006	Acushnet Company Golf Ball Operations Business Review (AC 0119969 – AC 0119979)		402, 403, 802, CUM, INC, DUP		
PX-1060	1/16/2007	Titleist Golf Balls Advertising Review (AC 0120048 – AC 0120067)		402, 403, 802, F, CUM, INC		
PX-1061	1/16/2007	Acushnet Company Golf Ball Operations Business Review (AC 0120068 – AC 0120088)		402, 403, 802, F, CUM, INC		
PX-1062	2001-2004	2001-2004 Darrell Survey Almanacs Golf Ball Chapters (AC 0131512 – AC 0131526)		402, 403, 802, INC		
PX-1063	5/17/2002	Declaration of Herbert C. Boehm in re Patent Application 09/274,015 – US patent 7,090,798 to Hebert et al. (CW 0329817 – CW 0329819)		402, 403, 802, CUM, DISC		
PX-1064	2002	IndyGolf.com Frequently Asked Questions by Bob Ostrander (CW 0127894 – CW 0127917)		402, 403, 802, F, CUM, AUTH		
PX-1065		Top-Flite Golf Company Overview (CW 01511166 – CW 01511190)		402, 403, 802		
PX-1066	10/2001	Golf World Business Article – "Supreme Challenge" (CW 0383906 – CW 0383913)		402, 403, 802, F, CUM, DISC		
PX-1067		Callaway Golf Rule 35 Storngeel Product/Launch Summary (CW 063353 – CW 063357)		402, 403, 802, F, CUM, AUTH		
PX-1068	Fall 2000	Callaway Connection Issue No 39 – Fall 2000 – "The Callaway Golf Family Proudly Welcomes Arnold Palmer" (CW 0168225 – CW 0168229)		402, 403, 802		
PX-1069		Callaway Golf "Rule 35 – hit it. Believe it." Product brochure. (CW 0212948)		402, 403, 802, F, AUTH		
PX-1070	8/22/2003	Proposed Term Sheet for Patent License between Callaway Golf and Acushnet (CW 0282411 – CW 0282412)		402, 403, 408, 802, F, CUM, INC		

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PX-1071	2/26/1999	Spalding Pro Tour Strategy (CW 0500779 – CW 0500811)		402, 403, 802, F, CUM		
PX-1072	5/02/1996	USA TODAY Sports Article – Cronin, Dan – “Top-Flite will sell Multilayer Golf Ball” (CW 00615118)		402, 403, 802, F, CUM, INC		
PX-1073	5/29/1996	Business Week Article – Merritt, Jennifer – Product Peek ----- “The Belle of the Golf Balls” (CW 0615108)		402, 403, 802, F, CUM		
PX-1074	5/27/1999	Settlement Agreement between Spalding Sports Worldwide and Gary Player Group (CW 0273998 – CW 0274005)		402, 403, 802, CUM		
PX-1075	6/19/1992	Agreement between Spalding and Dunlop Slazenger (CW 0274032 – CW 0274035)		402, 403, 802, CUM		
PX-1076	2002-2003	Callaway Golf Net Sales Figures and Budgets (CW 0320767 – CW 0320842)		402, 403, 802, F, DISC		
PX-1077	6/20/2002	Collaboration License and Option Agreement between Spalding and Brown University Research Foundation (CW 0325513 – CW 0325524)		402, 403, 802, F, CUM, DISC		
PX-1078	1/01/1999	License Agreement between Acushnet Company and Callaway Golf Ball Company (CW 01864026 – CW 01864032)		802, DUP		
PX-1079	2002-2005	Callaway Golf Sales Figures (CW 0309392 – CW 0310549)		402, 403, 802, CUM, AUTH, MULT, INC		
PX-1080		Callaway Golf Product History (CW 0316619 – CW 0316684)		402, 403, 802, F, CUM, AUTH, INC		
PX-1081		Titleist Pro V1 & Pro V1x Pricing Considerations (AC 023593.UR – AC 023617.UR)		402, 403, 802, CUM		
PX-1082	3/2002 vs 3/2003	Acushnet Company Golf Ball Sales Comparison (AC 023940.UR – AC 024080.UR)		402, 403, 802, CUM, MULT		
PX-1083		Opening Price Point (OPP) Titleist Strategic Document (AC 024032 – AC 024054)		402, 403, 802, CUM, MULT		
PX-1084	6/2004	Titleist and Foot-Joy WorldWide Product Analysis (AC 024121.UR – AC 024290.UR)		402, 403, 802, CUM		
PX-1085	4/19/2005	E-mail Correspondence from Keith Duffy to George Sine re “Field Visit to Jacksonville, FL” (AC 033598 – AC 033600)		402, 403, 802, CUM		
PX-1086	5/03/2005	E-mail Correspondence from George Sine re “Questions” (AC 033603.UR – AC 033605.UR)		402, 403, 802, CUM		
PX-1087	10/05/1989	Agreement between Acushnet company and Neplea, Holmstrom, and Call Products (AC 045574 – AC 045588)		402, 403, 802, CUM, AUTH		

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PX-1088	10/08/2003	Acushnet Company Titleist Golf Balls Sales & Marketing Review (AC 048048.UR – AC 048069.UR)		402, 403, 802, CUM		
PX-1089	12/23/2002	Golfweek.com Article – Leading Edge by James Achenbach “New Pro V1s lead technology parade” (AC 089537 – AC 089539)		402, 403, 802, CUM, AUTH, ILL		
PX-1090	10/17/2000	Assorted Articles – “New Titleist Ball is all the Rage” – “Titleist Scores Big with new Ball” by John Steinbreder (AC 089540 – AC 089546)		402, 403, 802, CUM, AUTH		
PX-1091	1/26/2001	Acushnet Company Press Release “Titleist Advances Golf Ball Leadership Position With Introduction of New High Performance Multi-Component Pro V1” (AC 089690 – AC 089691)		402, 403, 802, F, CUM, AUTH		
PX-1092	4/04/2001	License Agreement between Callaway Golf and Acushnet Company (AC 0100118 – AC 0100139)		402, 403, 802, CUM		
PX-1093	2000	Titleist 2000 Sales Meeting – Orlando 2000 (AC 0102854.UR – AC 0102960.UR)		402, 403, 802, CUM		
PX-1094	2000	Titleist 2000 Sales Meeting – Pinehurst 2000 (AC 0103177.UR – AC 0103270.UR)		402, 403, 802, CUM		
PX-1095	2006	Titleist Golf Ball Workshop 2006 (AC 0116312 – AC 0116395)		402, 403, 802, CUM		
PX-1096	2006	Titleist and Foot-Joy Worldwide Product Analysis (AC 0119833 – AC 0119899)		402, 403, 802, CUM		
PX-1097	7/27/2005	Letter to David Plant from Frank Scherkenbach re Callaway Golf – Acushnet Meditation (AC 014364 – AC 014391)		402, 403, 408, 802, CUM		
PX-1098	3/06/2000	E-mail Correspondence from Bill Morgan re “VENEER STRATEGY is defined March 6, 2000” (AC 0000253.UR – AC 0000254.UR)		402, 403, 802, CUM		
PX-1099	11/03/1994	Excerpt from UK Patent 2276093 to Yamagishi (Bridgestone) (AC 0006885 – AC 0006903)		402, 403, 802, CUM		
PX-1100	6/21/2005	Titleist Press Release “Titleist. The #1 Ball Played at the U.S. Open for the 57 th Consecutive Year” (AC 0014581 – AC 0014583)		402, 403, 802, CUM, AUTH		
PX-1101	8/03/2005	Acushnet Company/Callaway Golf Mediation Brief of Acushnet Company (AC 0016400 – AC 0016423)		403, 408		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-1102	3/31/2001 – 12/31/2005	Acushnet Company Statements of Income (in USD) from March 31 st 2001 – December 31 st 2005 (AC 0043829 – AC 0043848)		402, 403, 802, CUM, AUTH, INC		
PX-1103	1/12/2001	Email to Ed Abrain to from George Sine re golf ball article response (AC 33927 – AC 33930)		402, 403, 802, CUM		
PX-1104		Acushnet International Sales data (AC 43465.ur – AC 43824.ur)		402, 403, 802, CUM, F, AUTH, MULT		
PX-1105		Titleist Sales Data for various countries (AC 44845.ur - AC 44860.ur)		402, 403, 802, CUM, AUTH, MULT		
PX-1106	1/19/2006	Titleist Golf Balls Sales and Marketing Review (AC 48474 – 48497)		402, 403, 802, CUM		
PX-1107	1/2007	New Pro V1 and Pro V1x Launch presentation (AC 116551 – AC 116678)		402, 403, 802, CUM		
PX-1108	2002	Ball Dollar Share Price Point Opportunity Combined (CW 1144539 – CW 1144562)		402, 403, 802, F, CUM, AUTH, INC		
PX-1109	2003 – 2006	Standard Cost spreadsheet (CW 383638-383744)		402, 403, 802, F, CUM, AUTH, INC, DISC		
PX-1110	2003 – 2006	Standard Cost Spreadsheet (CW 383528- CW 383632)		402, 403, 802, F, CUM, AUTH, INC, DISC		
PX-1111	2004	Titleist Pro V1 Print Advertisement "If You've Won with Pro V1 In 2004 Raise Your Hand" (AW 02713)		402, 403, 802, F, CUM		
PX-1112	2000	Titleist Pro V1 Print Advertisements (AC 0017139 – AC 0017144)		402, 403, 802, CUM, INC, MULT		
PX-1113	9/01/2000	E-mail correspondence from Jack Drumm re “Testing of Davis Love III at Sea Island, GA....” (AC 028755.UR – AC 028758.UR)		402, 403, 802		
PX-1114	2/21/1996	Titleist New Product Directive “Project X Technology” Revision # 2 (AC 028959.UR – AC 028965.UR)		402, 403, 802		
PX-1115	5/10/1996	Titleist New Product Directive “Project X Technology” Revision # 3 (AC 028978.UR – AC 028982.UR)		402, 403, 802, DUP		
PX-1116	2000 – 2001	New Pro V1 Product Brief (AC 030020 – AC 030032)		402, 403, 802, CUM, DUP		
PX-1117	9/29/2000	E-mail correspondence from George Sine re “New Titleist Pro NT – D Creative Brief” (AC 033810.UR – AC 33813.UR)		402, 403, 802, CUM		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-1118	2/05/2001	E-mail correspondence from Joe Gomes re “Love Wins ATI with Titleist” (AC 033948 – AC 033949)		402, 403, 802, CUM		
PX-1119	2/12/2001	E-mail correspondence from Joe Gomes re “Mickelson Tops Titleist Pro V1 Sweep at Buick Invitational” (AC 033976 – AC 033977)		402, 403, 802, CUM		
PX-1120	3/29/2001	E-mail Correspondence from Joe Gomes enclosing text from March 28, 2001 Article from the Detroit News “Talking with... George Sine, Acushnet Company” By Vartan Kupelian (AC 036676 – AC 036677)		402, 403, 802, CUM		
PX-1121		Titleist Pro V1 Brochure “Performance Beyond Expectation” (AC 04448 – AC 044467)		UNK		
PX-1122		Titleist Pro V1 Design Slides (AC 044747 – AC 044757)		402, 403, 802, CUM, INC		
PX-1123	5/2001 – 10/2001	Assorted Pro V1 Golf World Print Articles “The Fall Offensive”, “Titleist Fires Up the Artillery”, “Dessert Storm by V1 Ball”, “Having a Ball” (AC 089556 – AC 089563)		402, 403, 802, CUM, AUTH, MULT		
PX-1124	9/26/2000	www.golf.com Article “Wound bound to be obsolete” by Doug Ferguson (AC 089564 – AC 089566)		402, 403, 802, CUM, AUTH		
PX-1125	9/22/2000	GolfDigest.com Article “Going to Great Lengths” by Tim Rosaforte (AC 089570 – AC 089572)		402, 403, 802, CUM, AUTH		
PX-1126	9/15/2000	Golf World Business Article “Titleist inks Love to new deal; Uihlein declares: ‘We’re at war’” (AC 089573)		402, 403, 802, CUM, AUTH		
PX-1127	12/15/2000	Golf World Article “Star Wars” author unknown (AC 089574 – AC 089575)		402, 403, 802, CUM, AUTH		
PX-1128	10/17/2000	Golfweek Business Article “Titleist’s new solid ball goes into play in Vegas” by John Steinbreder (AC 089648 – AC 89649)		402, 403, 802, CUM, AUTH		
PX-1129	4/05/2001	Star Tribune Article “Longer-playing golf balls are talk of tourney” by Patrick Reusse (AC 089651 – AC 089652)		402, 403, 802, CUM, AUTH		
PX-1130	4/24/2001	The Pantagraph Article “Best ball? Golfers Scrambling for Titleist Pro V1” (AC 089666 – AC 089667)		402, 403, 802, CUM		
PX-1131	10/18/2000	www.golf.com Article “Solid-core Titleist appeals to pros” by Jim Slater (AC 089682 – AC 089683)		402, 403, 802, CUM, AUTH		

TRIAL Ex. No.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-1132	3/15/2001	Bay Hill Invitational, Fastscripts Interview with Phil Mickelson (AC 089684 – AC 089687)		402, 403, 802, CUM, AUTH		
PX-1133	2001	B&W Titleist Pro V1 Print Advertisement from 2001 Ad Campaign “Word of Mouth on the new ball from Titleist isn’t just positive... It’s Deafening” (AC 089740 – AC 089743)		402, 403, 802, CUM, AUTH, MULT		
PX-1134	3/14/2001	USA Today Front Page Article “The Ball that’s turning Golf upside down” (AC 089762 – AC 089765)		402, 403, 802, CUM, AUTH, MULT		
PX-1135	2/05/2001	E-mail correspondence from Adam Bradshaw re “Meeting Follow-up” (AC 0109625.UR – AC 0109632.UR)		402, 403, 802, CUM, MULT		
PX-1136	No dates	Titleist Pro V1 and Pro V1x Player quotes/testimonials (AC 0116948)		402, 403, 802, CUM, UNK		
PX-1137	2004	Titleist Pro V1 Table of Golf Ball Victories on 2004 Worldwide Professional Tours (AC 0126844 – AC 0126859)		402, 403, 802, F, CUM		
PX-1138	3/2000 - 4/2000	Player Magazine Print Article “The Science of Choosing a Golf Ball” by Marshall Lewis (CW 0253539 – CW 0253542)		402, 403, 802, F, CUM		
PX-1139	1/28/2006	www.golfweek.com Article “A fab five for the Pro V1” by James Achenbach (CW 0273801 – CW 0273802)		402, 403, 802, F, CUM		
PX-1140	10/13/2000	Golf World Print Article “the Bunker – The Fall Offensive” by Geoff Russell” (CW 0280161 – CW 0280162)		402, 403, 802, F, CUM		
PX-1141		Golf Pro-Online Article “Titleist Advances Golf Ball Leadership Position with Introduction of New High Performance Multi-Component Pro V1” (CW 0280214 – CW 0280217)		402, 403, 802, F, CUM		
PX-1142	2/16/2001	Print Advertisements taken from GolfWorld magazine including Pro V1 “It’s Defeating” ad and “Pro V1 for all – Mickelson Trusts Titleist for 3 rd Buick Invitational” (CW 0280546 – CW 0280555)		402, 403, 802, F, CUM, MULT		
PX-1143	2/10/2001	Titleist Print advertisement published in Golfweek.com magazine “At the Top of His Game with Equipment to Match” (CW 0280722 – CW 0280723)		402, 403, 802, F, CUM		
PX-1144	3/17/1999	Pro Tour Endorsements – Justin Leonard, Mark O’Meara, Tom Watson (CW 0500752 – CW 0500759)		402, 403, 802, F, CUM		
PX-1145	1/10/1999 – 11/14/1999	PGA Tour 1 st Place Finishes Table (CW 01819166 – CW 01819194)		402, 403, 802, F, CUM		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-1146	7/08/2000	Facsimile correspondence from Marvin M. Giles, III to Wally Uihlein re Davis Love's contract with Titleist (AC 0131590 – AC 0131592)		402, 403, 802, F, CUM		
PX-1147	12/06/2000	Players Agreement between Acushnet Company and Davis Love III (AC 0131542 – AC 0131545)		402, 403, 802, F, CUM		
PX-1148	12/04/2000	E-mail Correspondence from Wally Uihlein re "Davis Love III Chronology" (AC 0131546 – AC 0131547)		402, 403, 802, F, CUM		
PX-1149	11/28/2000	Letter from Wally Uihlein to Vinnie Giles re Davis Love III business matters (AC 0131548 – AC 0131551)		402, 403, 802, F, CUM		
PX-1150	11/20/2000	Letter from Uihlein to Davis Love III re revised agreements (AC 0131552)		402, 403, 802, F, CUM		
PX-1151	10/30/2000	Letter from Uihlein to Davis Love III re agreements (AC 0131553 – AC 0131559)		402, 403, 802, F, CUM		
PX-1152	9/2001	Letter from Uihlein to Davis Love III including Press Articles (AC 0131560 – AC 0161565)		402, 403, 802, F, CUM		
PX-1153	11/04/2000	Acushnet Company/Davis Love III Proposal (AC 0131566 – AC 0131569)		402, 403, 802, F, CUM		
PX-1154	9/03/2000	E-mail Correspondence from Davis Love III to Uihlein re "Confirmation" (AC 0131570 – AC 0131571)		402, 403, 802, F, CUM		
PX-1155	9/01/2000	E-mail Correspondence from uihlein to Davis Love III re "The Future" (AC 0131572 – AC 0131574)		402, 403, 802, F, CUM		
PX-1156	7/12/2000	Correspondence between Davis Love and Uihlein re upcoming tournaments and Titleist sponsorship (AC 0131575 – AC 0131577)		402, 403, 802, F, CUM		
PX-1157	6/19/2000	Handwritten letter from Uihlein to Davis Love III (AC 0131578 – AC 0131582)		402, 403, 802, F, CUM		
PX-1158	6/16/2000	Letter from Uihlein to Davis Love III re proposed agreement (AC 0131583 – AC 0131587)		402, 403, 802, F, CUM		
PX-1159	6/09/2000	Letter from Marvin Giles III (Love's agent) to Uihlein re proposed figures for agreement (AC 0131588 – AC 0131589)		402, 403, 802, F, CUM		
PX-1160	1/17/1996	Titleist and Foot-Joy Worldwide Players agreement with Davis Love III (AC 0131593 – AC 0131595)		402, 403, 802, F, CUM, DUP		

TRIAL Ex. No.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-1161	8/09/2000	Titleist.com Titleist Professional promotional of Davis Love III (CW 082130 – CW 082131)		402, 403, 802, F, CUM		
PX-1162	2/21/2001	Article from the San Diego Union – Tribune “Wild and Wacky – There have been surprises galore so far on the 2001 tour” by Ted Leonard (CW 0384002 – CW 0384004)		402, 403, 802, F, CUM, DISC		
PX-1163	4/04/2001	Article from the Miami Herald – “Hold That Swing!” by Jeff Shain (CW 0383990 – CW 0383993)		402, 403, 802, F, CUM, DISC		
PX-1164	3/11/2001	Article from The observer – “The Tiger is Tamed by a Golf Ball Revolution: Why has the world No. 1 lost his aura of invincibility?” by Bill Elliot (CW 0383999 – CW 0384001)		402, 403, 802, F, CUM, DISC		
PX-1165	10/12/2000	Article from USA TODAY “An ‘authentic swing’ at golf” by Harry Blauvelt (CW 0383958 – CW 0383959)		402, 403, 802, F, CUM, DISC		
PX-1166	4/04/2001	Article from the Denver Post “Dead Solid Almost Perfect” by Kensler (CW 0383978 – CW 0383980)		402, 403, 802, F, CUM, DISC		
PX-1167	7/19/2007	YES, Dallas Morning News – Inside the ROPES, Dallas Morning News, FIRST ed, p6C (CW 000383960 – CW 000383961)		402, 403, 802, F, CUM, DISC		
PX-1168	6/01/2006	Bomb & Gouge: there's a new way to play, and it's all about power Morrice, Peter Golf Digest, v57, n6, p124 (CW 000383962 – CW 000383977)		402, 403, 802, F, CUM, AUTH, INC, Mischaracterized, DISC		
PX-1169	5/13/2001	Dead, solid perfect Credits, Star-Telegram Fort Worth Star Telegram (Tx) Final ed (CW 000383978 – CW 000383980)		402, 403, 802, F, CUM, DUP, DISC		
PX-1170	5/01/2001	Golf Digest - Extra Holes (CW 000383981 – CW 000383986)		402, 403, 802, F, CUM, DISC		
PX-1171	3/15/2001	New Orleans Times Picayune, Dave Lagarde, Golfers having a blast with Titleist ball (CW 000383994 – CW 000383996)		402, 403, 802, F, CUM, DISC		
PX-1172	3/14/2001	The Ball that is Turning Golf Upside Down by Jerry Potter, USA Today (CW 000383997 - 383998)		402, 403, 802, F, CUM, DISC		
PX-1173	2/27/2001	West Coast in Swing Review by Tod Leonard, The San Diego Union-Tribune Union Tribune, 1,7 ed, pD-4 (CW 000384002 – CW000384004)		402, 403, 802, F, CUM, DUP, DISC		
PX-1174	8/15/20000	Email from Chris Cavallaro to Sine et al. re veneer platform meeting minutes 8/8 (AC 0109480 – AC0109480)		402, 403, 802, F, CUM, AUTH, INC,		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-1175	1932-2007	The History of the Titleist Golf Ball – authors unknown (AB 0118041 – AB 0118098)		402, 403, 802, UNK		
PX-1176	2007	Titleist Pro V1 Microsite from Titleist.com (CW 0383115)		402, 403, 802, UNK, DISC		
PX-1177		Innovations – Great Leaps Forward - The evolution of a game: 1890 – today (CW 0383889 – 383894)		402, 403, 802, UNK, DISC		
PX-1178		Fortune Brands – Our Brands – Home and Hardware		UNK		
PX-1179	3/11/2001	BusinessWeek Magazine Article “Commentary: Ely Callaway: He did it his way” by Mark Hyman		402, 403, 802, CUM, AUTH		
PX-1180	12/31/2001	USSEC – Callaway Golf 2001 Form 10-K		105, 802		
PX-1181	12/31/2006	USSEC – Callaway Golf 2006 Form 10-K		105, 802		
PX-1182	12/31/2003	USSEC – Callaway Golf 2003 Form 10-K		105, 802		
PX-1183		CallawayGolf.com “Our History” Timeline		UNK		
PX-1184		Fortune Brands 2001 Form 10-K		105, 802		
PX-1185	1997-2006	Golf Datatech – Quarterly Reports – 1997 – 2006 On-Off Course		105, DISC		
PX-1186	7/17/2007	GolfEurope.com Article “A History of the Golf Ball” – www.golfeurope.com/almanac/history/golf_ball.htm		802, AUTH, F		
PX-1187	2002-2003	Golf Datatech – Monthly Reports – July-Sept Mass Merchant – Sporting Goods – On-OFF Course		105, DISC		
PX-1188		Titleist.com Press Release “Titleist Celebrates Launch of New Pro V1 Balls with Seven Title Sweep around the world”		402, 403, 802, AUTH		
PX-1189		Golfsmith.com Callaway HX Tour 56 product info: “The New Science of Distance with Accuracy”		402, 403, 802, AUTH, INC, UNK		
PX-1190		Spalding Holdings Corporation Form 10-K for the year ended December 31, 2000		802		
PX-1191	2001-2006	Golf Datatech – Quarterly Reports – 2001 – 2006 On Course		105, DISC		

TRIAL EX. NO.	DOC. DATE	DESCRIPTION	OFFERED	OBJECTIONS	FRE IN SUPPORT OF ADMISSION	ADMITTED
PX-1192	2001-2003	Golf Datatech – Quarterly Reports – 2001 – 2003 Sporting Goods		105, DISC		
PX-1193	2001-2006	Golf Datatech – Quarterly Reports – 2001 – 2006 Off Course		105, DISC		
PX-1194	2001-2004	Golf Datatech – Quarterly Reports – 2001 – 2004 Mass Merchants		105, DISC		

Exhibit 6

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CALLAWAY GOLF COMPANY,

Plaintiff,

v.

ACUSHNET COMPANY,

Defendant.

C. A. No. 06-91 (SLR)

EXHIBIT 6

ACUSHNET'S EXHIBIT LIST AND CALLAWAY'S OBJECTIONS TO SAME

Pursuant to Fed. R. Civ. P. 26(a)(3)(C), Defendant Acushnet Company ("Acushnet") hereby submits the attached list of exhibits that it may seek to introduce into evidence at trial.

Acushnet reserves the right to use the exhibits listed by plaintiff Callaway Golf Company ("Callaway") or to introduce complete copies of any of the documents listed by Acushnet or Callaway. Acushnet further reserves the right to supplement its exhibit list with documents produced pursuant to any trial subpoena or documents produced after the date of this submission. Acushnet further reserves the right (as agreed by Callaway) to supplement its exhibit list in light of further discovery provided to Acushnet.

Acushnet reserves the right to enlarge exhibits identified on the exhibit list of either party or otherwise admitted at trial and may highlight certain portions of the language or otherwise feature that language to facilitate the presentation and understanding of the evidence. Acushnet also reserves the right to enlarge or portray graphically any deposition testimony that has been designated or is otherwise admissible.

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KEY R = Relevance P = Prejudicial H = Hearsay 408 = subject to FRE 408 A = Authentication
I = Incomplete M = Multiple MIL = subject to Motion in Limine NP = Not Produced
? = Unknown Document B = Best evidence

Acushnet also reserves the right to use at trial certain demonstratives and graphics that will be used solely for illustrative purposes and that it will not seek to admit into evidence. Acushnet further reserves the right to use large drawing pads for illustrative purposes and other aides to facilitate the presentation and understanding of the evidence.

This list does not include all exhibits that Acushnet may use at trial for the purposes of impeachment. Acushnet reserves the right to use at trial any document (whether listed or not) for the purposes of impeachment, in accordance with Rule 26(a)(3) of the Federal Rules of Civil Procedure. See also Fed. R. Civ. P. 26 advisory committee's note ("By its terms, rule 26(a)(3) does not require disclosure of evidence to be used solely for impeachment purposes . . .")

Finally, because questions may remain regarding the scope of the evidence at trial, Acushnet has designated certain exhibits, the relevance of which it does necessarily admit. The fact that an exhibit is listed on Acushnet's exhibit list is not an admission that the exhibit is relevant or otherwise admissible.

DX NO.	Date	Document Description	Begin Bates	End Bates	Control Number	Objection	Admitted
1	04/03/2000	U.S. Patent 6,210,293			571		
2	01/07/2003	U.S. Patent 6,503,156			1147	NP	
3	01/14/2003	U.S. Patent 6,506,130			1148	NP	
4	07/22/2003	U.S. Patent 6,595,873			1149	NP	
5	12/21/99	File History 6,210,293	CW 0307772	CW 0307957	968	MIL	
6	04/10/01	File History 6,506,130	CW 0308182	CW 0308889	969	MIL	
7	06/04/01	File History 6,503,156	CW 0307958	CW 0308181	962	MIL	
8	07/22/03	File History for U.S. Patent 6,595,873	CW 0308890	CW 0309143	577	MIL	
9	02/14/84	U.S. Patent 4,431,193			557		
10	05/24/94	U.S. Patent 5,314,187			558		
11	06/23/87	U.S. Patent 4,674,751			570		
12	06/23/1981	U.S. Patent 4,274,637			567		
13	08/02/1994	U.S. Patent 5,334,673			1123	NP	

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 I = Incomplete M = Multiple MIL = subject to Motion in Limine NP = Not Produced
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DX NO.	Date	Document Description	Begin Bates	End Bates	Control Number	Objection	Admitted
14		UK Patent Application GB 2 248 067 A			1160	NP	
15		USPTO before the Board of Patent Appeals and Interferences Ex Parte Michael J. Sullivan Appeal no. 2002-0242 Application No. 09/873,594	AC 0015597	AC 0015612	69	R, P, H, MIL	
16	04/17/01	Opinion of Counsel on U.S. Patent 6,210,293	AC 0115679	AC 0115698	367		
17	10/20/03	Opinion of Counsel on U.S. Patent 6,595,873	AC 0115751	AC 0115772	368		
18	04/08/03	Opinion of Counsel on U.S. Patent 6,506,130 and 6,503,156	AC 0115945	AC 0115981	369		
19	11/00/2001	Estane 58133 TPO Product Data Sheet	AC 0116196	AC 0116196	370	R, P, H	
20	03/00/2004	DuPont Product Description of Surlyn 7940	CW 0307285	CW 0307287	572		
21	03/00/2004	DuPont Product Description of Surlyn 8940	CW 0307288	CW 0307290	573	R, P, H	
22	08/21/02	Letter Rider to Arturi re Outstanding Club and Ball Patent Issues	CW 1850770	CW 1850771	733	408, R, P, H, MIL	
23	08/21/2007	Letter from Michael J. Rider to Arturi re: Outstanding club issues	CW 0282376	CW 0282377	536	408, R, P, H	
24	07/01/2002	Letter to Arturi from Michael J. Rider re Iron Patents & Golf Ball Patents	CW 0282378	CW 0282382	538	408, R, P, H	
25	04/30/2002	Letter to Stephen MacCracken from P. Arturi re Intellectual Property Issues	CW 0282383	CW 0282384	539	408, R, P, H	
26	05/22/2007	PTLI Testing Results	AC 0131402	AC 0131425	389	R, P, H	
27	07/21/98	File Wrapper for Application 08/870,585	CW 0300403	CW 0300567	556	MIL	
28	06/01/93	File History for Application No. 08/070,510 (Klein Ex. 10)			966	NP, MIL	
29		File History for U.S. patent 4,431,193	CW 0303427	CW 0303495	566	MIL	
30		File History for U.S. Patent 4,274,637			1354	NP	
31		File History for U.S. Patent 4,674,751			1355	NP	
32		File History for U.S. Patent 5,314,187			1356	NP	
33		File History for U.S. Patent 5,334,673			1357	NP	
34	07/20/2007	ASTM 2240-95 Standard	AC 0029349	AC 0029352	829	R, P, H	
35		ASTM Standard D 2240 - 02a	CW 0274337	CW 0274348	832	R, P, H	
36		ASTM Standard D 2240 - 91			833	R, P, H, NP	
37	05/24/94	U.S. Patent 5,314,187			630		
38		◀●Pro V1 392●▶ (Physical Packaging Sample)			1569		
39		◀●Pro V1x 332●▶ (Physical Packaging Sample)			1570		

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DX NO.	Date	Document Description	Begin Bates	End Bates	Control Number	Objection	Admitted
40		◀Pro V1 • 392▶ (Physical Packaging Sample)			1571		
41		◀--Pro V1--▶ (Physical Packaging Sample)			1572		
42		◀Pro V1-392▶ (Physical Packaging Sample)			1573		
43		◀--Pro V1x--▶ (Physical Packaging Sample)			1574		
44		◀Pro V1 Star 392▶ (Physical Packaging Sample)			1575		
45		◀Pro V1x-332▶ (Physical Packaging Sample)			1576		
46		◀Pro V1 392▶ (Physical Packaging Sample)			1568		
47	07/09/1993	Declaration of Proudfit (PTO)	CW 0302942	CW 0302947	915	R, P, H, MIL	
48		Plastics Technology Laboratories, Inc.: Hardness Testing Photographs	PTLI 000009	PTLI 000015	1286	R, P, H, A, B	
49		Plastics Technology Laboratories, Inc.: Test Report Documentation	PTLI 000018	PTLI 000018	1287	R, P, H, A, B	
50		Plastics Technology Laboratories, Inc.: Test Report Documentation	PTLI 000019	PTLI 000019	1288	R, P, H, A, B	
51		PTL, Inc. Shore Hardness and Flexural Property Testing Invoice	PTLI 000022	PTLI 000025	1289	R, P, H	
52		Letter to Lester from Galipeau with attached testing results	PTLI 000026	PTLI 000050	1290	R, P, H	
53		PTL, Inc. Shore Hardness and Flexural Property Testing Invoice	PTLI 000100	PTLI 000100	1291	R, P, H	
54		Handwritten Notes and chart of Callaway Prior Art testing	PTLI 000101	PTLI 000103	1292	R, P, H, A	
55		Email to Lester from Smith re testing results	PTLI 000104	PTLI 000104	1293	R, P, H	
56		Letter to Lester from Koehler re Project P20071713 Test Reports	PTLI 000105	PTLI 000105	1294	R, P, H	
57		P20071713 - Supporting documentation	PTLI 000107	PTLI 000109	1295	R, P, H	
58		Certificate of Calibration: MIC-342-06	PTLI 000110	PTLI 000111	1296	R, P, H	
59		Certificate of Calibration: Shore D-005-06	PTLI 000112	PTLI 000113	1297	R, P, H	
60		Certificate of Calibration: UTM-289-06	PTLI 000114	PTLI 000115	1298	R, P, H	
61		Certificate of Calibration: LC-290-06	PTLI 000116	PTLI 000117	1299	R, P, H	
62		Service Call Report: Calibration of Macro Extensometer Only	PTLI 000118	PTLI 000121	1300	R, P, H	
63		Individual Report from Rubber Program Cycle #153, Third Quarter 2007 by Collaborative Testing Services,	PTLI 000122	PTLI 000125	1301	R, P, H	

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DX NO.	Date	Document Description	Begin Bates	End Bates	Control Number	Objection	Admitted
		Inc.					
64		Performance Analysis Report for the Plastics Interlaboratory Program Cycle #63, Third Quarter 2007	PTLI 000126	PTLI 000133	1302	R, P, H	
65		Training documentation for 2007 James McCarthy	PTLI 000134	PTLI 000135	1303	R, P, H	
66		Article: Correlating JIS C and Shore D/ Shore A Hardness Values (Statz. Dep. Ex. 13)			792	R, P, H	
67		Competitive ball report entry for Wilson Ultra Tour Balata 100	AC 0072945	AC 0072945	318	R, P, H	
68	00/00/19994	Titleist and Foot-Joy Worldwide 1994 Competitive Ball Report	AC 0072908	AC 0072946	1502	R, P, H	
69		Training documentation for 2007 Laura Howland	PTLI 000136	PTLI 000137	1304	R, P, H	
70		1986 Competitive Ball Report	AC 0079318	AC 0079327	1218	R, P, H	
71		1988 Competitive Ball Report	AC 0079358	AC 0079449	1219	R, P, H	
72		1988 Chemical Analysis of Competitor Golf Balls	AC 0079450	AC 0079471	1220	R, P, H	
73		Competitive Ball Report	AC 0079869	AC 0079951	1221	R, P, H	
74	0/0/96	Introducing Top Flite Strata Tour	AC 0128187	AC 0128194	1602	R, P, H	
75		Strata Tour Multi-Layer Technology	CW 0521703	CW 0521753	642	R, P, H	
76		New Strata is Ultimate for Distance and Spin	CW 0537887	CW 0537889	659	R, P, H	
77		Top-Flite Strata Tour Competition	CW 0599805	CW 0599820	667	R, P, H	
78	09/03/96	Memorandum Watson to Sullivan re Strata Commercial Success	CW 0615099	CW 0615130	676	R, P, H	
79		Opinions of Counsel re Invalidity and Unenforceability of 6,210,293	AC 0120414	AC 0120491	1235		
80	08/01/2003	Opinion of Counsel Memo re '510 Patents	AC 0120643	AC 0120836	1567		
81		Opinions of Counsel re Invalidity and Unenforceability of 6,503,156 and 6,506,130	AC 0120837	AC 0121090	1236		
82		Opinions of Counsel re Invalidity and Unenforceability of 6,595,873	AC 0121177	AC 0121365	1237		
83		Documents referred to in Opinions of Counsel and Associated Claim Charts re Incorporation	CW 0274433	CW 0274625	1272	R, P, H	
84	08/16/2007	Declaration of James Proudfit re Wilson Ultra Tour Balata (Acushnet Response to Callaway SJ Motion of No Anticipate Ex. 5)			1487	H	

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85	08/24/2007	Declaration of Dalton In Support Of Acushnet's Motion For summary Judgment Of Invalidity Of U.S. Patent Nos 6,210,293; 6,506,130; 6,503,156 and 6,595,973			893	R, P, H, MIL	
86	06/01/2007	Expert Report of MacKnight			954	H	
87	06/01/2007	Expert Report of Statz			958	H	
88	07/06/2007	CV of Stephen Fienberg			884	R, P, H	
89	07/06/2007	Expert Report of Fienberg			952	H	
90	08/03/2007	Expert Report of Puckett			956	H	
91		Physical ball sample -- Prior Art Golf Balls Made at the Direction of Dr. MacKnight Ball_1(Core - Nesbitt 193; ICL Nesbitt 193; OCL- Molitor 637)			1366	R, P, MIL	
92		Physical ball sample -- Prior Art Golf Balls Made at the Direction of Dr. MacKnight Ball_2 (Core - Nesbitt 193; ICL - Nesbitt 193; OCL - Wu 673)			1367	R, P, MIL	
93		Physical ball sample -- Prior Art Golf Balls Made at the Direction of Dr. MacKnight Ball_3 (Core - Nesbitt 193; ICL - Nesbitt 193; OCL- Molitor 751)			1368	R, P, MIL	
94		Physical ball sample -- Prior Art Golf Balls Made at the Direction of Dr. MacKnight Ball_4 (Core - Nesbitt 193; ICL - Molitor 637; OCL - Molitor 637)			1369	R, P, MIL	
95		Physical ball sample -- Prior Art Golf Balls Made at the Direction of Dr. MacKnight Ball_5 (Core - Nesbitt 193; ICL - Molitor 637; OCL - Wu 673)			1370	R, P, MIL	
96		Physical ball sample -- Physical ball sample -- Prior Art Golf Balls Made at the Direction of Dr. MacKnight Ball_6 (Core - Nesbitt 193; ICL - Molitor 637; OCL - 751)			1371	R, P, MIL	
97		Physical ball sample -- Prior Art Golf Balls Made at the Direction of Dr. MacKnight Ball_7 (Core - Proudfit 187; ICL - Proudfit 187; OCL - Molitor 637)			1372	R, P, MIL	
98		Physical ball sample -- Prior Art Golf Balls Made at the Direction of Dr. MacKnight Ball_8 (Core - Proudfit 187; ICL - Proudfit 187; OCL - Wu 673)			1373	R, P, MIL	
99		Physical ball sample -- Prior Art Golf Balls Made at the Direction of Dr. MacKnight Ball_9 (Core - Proudfit 187; ICL - Proudfit 187; OCL - Molitor 751)			1374	R, P, MIL	

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DX NO.	Date	Document Description	Begin Bates	End Bates	Control Number	Objection	Admitted
100	05/02/1988	Mike Sullivan's Lab Notebook	CW 00611560	CW 00611620	1578	R, P, H	
101	09/06/1989	Mike Sullivan's Lab Notebook	CW 00611621	CW 00611725	1579	R, P, H	
102	03/21/1991	Mike Sullivan's Lab Notebook	CW 00611726	CW 00611821	1580	R, P, H	
103	09/15/1992	Mike Sullivan's Lab Notebook	CW 00611822	CW 00611909	1581	R, P, H	
104		Darrell Survey 2000 Almanac of Golf Equipment			1247	R, P, H, NP	
105		Darrell Survey 2001 Almanac of Golf Equipment			1248	R, P, H, NP	
106		Darrell Survey 2002 Almanac of Golf Equipment			1249	R, P, H, NP	
107		Darrell Survey 2003 Almanac of Golf Equipment			1250	R, P, H, NP	
108		Darrell Survey 2004 Almanac of Golf Equipment			1251	R, P, H, NP	
109		Invention Record: Layered Ball with thin thermoset surface	AC 0131665	AC 0131668	1252		
110		Durometer Hardness Conversion Table	CW 0003892	CW 0003892	407	R, P, H	
111	03/27/1995	Conforming Golf Balls (Acushnet's Comments re Office Actions Ex. L)			878	R, P, H, MIL	
112	03/27/1995	USGA Championships Conforming Golf Balls (Acushnet SJ Invalidity Ex. 19)			1163	R, P, H, NP	
113		Physical ball sample -- 1992 Slazenger Interlock 420 Balata 100			1314		
114		Physical ball sample -- 1992 Wilson Ultra Tour Balata			1315		
115		Physical ball sample -- 1993 Altus Newing			1316		
116		Physical ball sample -- 1994 Kasco DC432 RR-105 (Dual core, soft cover); 1995			1317		
117		Physical ball sample -- 1995 PRGR WS M-40 DC-926			1318		
118		Physical ball sample -- 1995 Titleist ® Professional TM			1319		
119		Physical ball sample -- 1995 Titleist ® Professional TM 2-Piece			1320		
120		Physical ball sample -- Accutech UC3			1321		
121		Physical ball sample -- I.U. Choice Gold 85			1358		
122		Physical ball sample -- Kasco Star DC432			1360		

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123		Physical ball sample -- Kasco Star DC492			1361		
124		Physical ball sample -- Pro V1 392			1375		
125		Physical ball sample -- Reygrande Two by Two			1376		
126		Physical ball sample -- Reygrande X II,			1377		
127		Physical ball sample -- Spalding Executive			1379		
128		Physical ball sample -- Spalding Tour Executive			1380		
129		Physical ball sample -- Strata® Tour Ace ^{TM2}			1381		
130		Physical ball sample -- Titleist Pro 2-Piece			1383		
131		Physical ball sample -- Titleist Pro 2P			1384		
132		Physical ball sample -- Titleist Professional 100			1386		
133		Physical ball sample -- Titleist Professional 2p			1387		
134		Physical ball sample -- Titleist Professional 90			1388		
135		Physical ball sample -- Titleist Tour Prestige 100			1389		
136		Physical ball sample -- Titleist Tour Prestige 90			1390		
137		Physical ball sample -- Titleist Tour TEC 100			1391		
138		Physical ball sample -- Titleist Tour TEC 90			1392		
139		Physical ball sample -- Titleist Tour Urethane 100			1393		
140		Physical ball sample -- Titleist Tour Urethane 90			1394		
141		Physical ball sample -- Top-Flite® Strata® TL-Tour TM			1396		
142		Physical ball sample -- Top-Flite® Strata® Tour Premier TM			1397		
143		Physical ball sample -- Tour Edition 100			1398		
144		Physical ball sample -- Tour Editon 90			1399		
145		Physical ball sample -- Wilson Ultra Tour Balata 90			1451		
146		Physical ball sample -- Wilson Ultra Tour Balata 100			1452		
147		Physical ball sample -- Strata Tour Ultimate G			1453		
148		Physical ball sample -- Ben Hogan® Apex Tour®			1327		
149		Physical ball sample -- Ben Hogan® Apex Tour® Black			1328		
150		Physical ball sample -- Ben Hogan® Apex Tour® Red			1329		
151		Physical ball sample -- Ben Hogan® The Hawk®			1330		
152		Physical ball sample -- Ben Hogan® Tour Deep®			1331		
153		Physical ball sample -- Calaway Golf® HX ® Tour 56			1332		
154		Physical ball sample -- Callaway Golf® CTU 30			1333		

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155		Physical ball sample -- Callaway Golf® HX® Blue			1334		
156		Physical ball sample -- Callaway Golf® HX® Red			1335		
157		Physical ball sample -- Callaway Golf® HX® Tour			1336		
158		Physical ball sample -- Callaway Golf® HX® Tour 56 Improved			1337		
159		Physical ball sample -- Callaway Golf® HX® Tour Improved			1338		
160		Physical ball sample -- Callaway Golf® Rule 35® Firm Feel			1339		
161		Physical ball sample -- Callaway Golf® Rule 35® Soft Feel			1340		
162		Physical ball sample -- Cayman Grand Tour			1341		
163		Estane Polyurethanes Polymer and Compound Products Line	CW 00615791	CW 00615793	948	R, P, H	
164		Nike Tour Accuracy Data	CW 0064313	CW 0064318	1257	R, P, H	
165		Nike Tour Accuracy Data	CW 0064323	CW 0064325	1258	R, P, H	
166		Nike Tour Accuracy Data	CW 0064336	CW 0064337	1259	R, P, H	
167		Nike Tour Accuracy Data	CW 0064339	CW 0064340	1260	R, P, H	
168		Nike Tour Accuracy Data	CW 0064352	CW 0064352	1261	R, P, H	
169		Nike Tour Accuracy Data	CW 0064356	CW 0064356	1262	R, P, H	
170		Nike Tour Accuracy Data	CW 0064357	CW 0064357	1263	R, P, H	
171	05/11/2005	Competitive Ball Database Reports	AC 0000887	AC 0000893	34	R, P, H	
172	04/04/2003	Competitive Ball Database Reports	AC 0000900	AC 0000902	38		
173	04/04/2003	Competitive Ball Database II Reports on Double Cover Solid Core Balls	AC 0000910	AC 0000913	41		
174		Competitive Ball Testing Data Report	AC 0048737	AC 0048792	1213	R, P, H	
175		Golf Data Tech Sales Reports for Golf Balls sold at on and off course outlets	AC 0131489	AC 0131489	978	R, P, H	
176		DuPont Packaging and Industrial Polymers: DuPont Surlyn 8150 Data Sheet	AC 0131493	AC 0131495	1243	R, P, H	
177		DuPont Packaging and Industrial Polymers: DuPont Surlyn 8140 Data Sheet	AC 0131496	AC 0131498	1244	R, P, H	
178		DuPont Packaging and Industrial Polymers: DuPont Nuclrel resins 960 Data Sheet	AC 0131499	AC 0131501	1245	R, P, H	

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179		DuPont Packaging and Industrial Polymers: DuPont Fusabond ® N MO525D Data Sheet	AC 0131502	AC 0131503	1246	R, P, H	
180	07/31/2007	Excerpt, Acushnet Competitive Ball Database	AC 900	AC 902	398		
181	10/23/00	Email Espinoza to Catania, Yagley re Titleist Tear Down Data	CW 0125933	CW 0125933	457	R, P, H	
182	09/28/1998	Memo to Mark King, Chuck Yash and Callaway Golf Sales Department from Mike Pai re Golf Datatech Summary	CW 0218662	CW 0218767	1268	R, P, H	
183	9/28/1998	Memorandum from Pai to King & Yash re Golf Datatech Summary	CW 0218662	CW 0218767	1560	R, P, H	
184	08/00/2002	Golf Datatech Report On and Off Course Shops Sales	CW 1154381	CW 1154394	1277	R, P, H	
185		Nike Tour Accuracy Data	CW 1640005	CW 1640010	1278	R, P, H	
186		Nike Tour Accuracy Data	CW 1850814	CW 1850815	1280	R, P, H	
187		Nike Tour Accuracy Data	CW 1851506	CW 1851506	1282	R, P, H	
188		Nike Tour Accuracy Data	CW 1851507	CW 1851508	1283	R, P, H	
189		Nike Tour Accuracy Data	CW 1851509	CW 1851511	1284	R, P, H	
190	12/09/02	Email string Cwiertnia to Wilkerson, Motulsky, McCracken re Data Room Index	CW 1897999	CW 1898013	748	R, P, H	
191		Family Continuity Data '510 Patent (Acushnet Reply Brief in support of SJ of Invalidity Ex. 56)			960	R, P, H	
192		Bridgestone v Callaway Callaway Motion for Summary Judgment	AC 0022446	AC0022473	838	R, P, H	
193	03/05/2021	Bridgeston v. Callaway--Callaway Reply Brief in Support of Invalidity SJ Motion	AC 0022519	AC 0022537	1488	R, P, H	
194	07/28/2004	E-mail to Joe Mayer, Michael Rounds, Nancy Hammond and Qarmcoa re Dupont Order #DNHP61213A0000 Certification Letter (no from)	AC 0012365.UR	AC 0012376.UR	53		
195	07/28/2004	Surlyn Resin 7940 Lot Tests by DuPont	AC 0012368	AC 0012368	54		
196	11/03/2004	Surlyn Resin 8940 Lot Tests by DuPont	AC 0012392	AC 0012392	55		
197	11/10/2004	Surlyn Resin 7940 Lot Tests by DuPont	AC 0012400	AC 0012401	56		
198		Photographs of DuPont Solid Core Golf Balls (DOM)	AC 0131426	AC 0131434	1238	A, B	
199	06/25/02	Callaway/DuPont Meeting	CW 0027824	CW 0027824	427	R, P, H	
200	07/31/2007	DuPont Surlyn brochure, bearing bates Nos. CW 0076878 through CW 0076879	CW 0076878	CW 0076879	440		
201	12/02/96	Memorandum Binette to Sullivan re DuPont Cover	CW 0599360	CW 0599360	663	R, P, H	

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		Formulations					
202		Physical ball sample -- Championship 3 Golf Balls (balls cut in half) (Nesbitt Dep. Ex. 12)			1051	R, P	
203		Physical ball sample -- Championship 5 Golf Balls (balls cut in half) (Nesbitt Dep. Ex. 11)			1052	R, P	
204	02/15/77	Handwritten Notes	CW 0615798	CW 0615798	685	R, P, H, A	
205	01/06/78	Memorandum Molitor to Nesbitt re 3 Piece Top Flite Ball	CW 0252993	CW 0252993	485	R, P, H	
206	01/25/78	Letter Hess to Peacock re Injection Molding Compound for Two Piece Golf Ball	CW 0615820	CW 0615820	690	R, P, H	
207	01/31/78	Unicore Center Stock	CW 0615861	CW 0615861	698	R, P, H	
208	02/03/1978	Invention Record for Three-piece Top-Flite Golf Ball re A.G. Spalding & Bros. Inc.	AC 0009938	AC 0010354	1508	R, P, H	
209	02/11/78	Big dimple 3 Piece Top-Flite -Prototype Development	CW 0615795	CW 0615795	684	R, P, H	
210	02/15/78	Handwritten notes and diagram re 3 Piece Top-Flite	CW 0533597	CW 0533597	653	R, P, H, A	
211	2/15/1978	3 Piece Top-Flite (hand written)	CW 0274169	CW 0274169	1522	R, P, H	
212	02/21/78	Letter Hess to Nesbitt re Service Bulletin Covering Injection Molding of Estane Thermoplastic Polyurethane	CW 0615807	CW 0615807	688	R, P, H	
213	02/23/78	Purchase Order	CW 0253051	CW 0253051	488	R, P, H	
214	02/24/78	Purchase Order	CW 0252989	CW 0252989	484	R, P, H	
215	03/01/78	Handwritten Notes re X-09370	CW 0615836	CW 0615839	693	R, P, H, A	
216	03/01/78	Physical Test request	CW 0615840	CW 0615844	694	R, P, H	
217	3/07/78	Special Physical Test Request 231	CW 0615858	CW 0615859	697	R, P, H	
218	03/10/78	Special Physical Test Request 241	CW 0615847	CW 0615857	696	R, P, H	
219	03/14/78	Special Physical Test Request 244	CW 0615845	CW 0615846	695	R, P, H	
220	3/22/78	Special Physical Test Request 250	CW 0615829	CW 0615830	692	R, P, H	
221	03/23/78	Handwritten Notes	CW 0615808	CW 0615817	689	R, P, H, A	
222	3/23/1978	3 Piece Top-Flite (hand drawn)	CW 0274179	CW 0247179	1519	R, P, H, A, B	
223	03/24/78	Memorandum Peacock to Nesbitt re Estane Pricing	CW 0253003	CW 0253003	487	R, P, H	
224	03/29/78	Memorandum Nesbitt to Lapinski re 3 Piece Top-Flite Golf Ball	CW 0533599	CW 0533599	655	R, P, H	
225	3/29/1978	Memorandum from Ed Lapinski re 3 Piece Top-Flite Golf Ball	CW 0274181	CW 0274181	1517	R, P, H	

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226	3/29/1978	3 Piece Top-Flite (hand drawn)	CW 0274172	CW 0274172	1518	R, P, H, A, B	
227	3/29/1978	Handwritten notes (Hebert)	CW 0274170	CW 0274171	1521	R, P, H	
228	04/03/78	Memorandum Molitor to Nesbitt re Quality Control Special Tests	CW 0252995	CW 0252995	486	R, P, H	
229	04/03/78	Memorandum Molitor to Nesbitt re Quality Control Special Tests	CW 0253066	CW 0253066	489	R, P, H	
230	05/17/78	Handwritten Notes	CW 0615871	CW 0615875	699	R, P, H, A	
231	08/01/78	Special Physical Test Request 479	CW 0615902	CW 0615903	703	R, P, H	
232	08/03/78	Special Physical Test Request 482	CW 0615801	CW 0615802	686	R, P, H	
233	8/3/1978	Special Physical Test Request - Urethane 2 pc center	CW 0274174	CW 0274175	1520	R, P, H	
234	08/16/78	Special Physical Test Request 511	CW 0615876	CW 0615882	701	R, P, H	
235	09/07/78	Handwritten notes	CW 0615886	CW 0615901	702	R, P, H, A	
236	03/23/07	3 Piece Top-Flite Diagram	CW 0615821	CW 0615821	691	R, P, H	
237		Estane 58134	CW 0615805	CW 0615806	687	R, P, H	
238		Handwritten notes and diagram re 3 Piece Top-Flite; 4 Piece Top-Flite Diagram	CW 0615874	CW 0615874	700	R, P, H, A	
239	09/01/1999	Declaration under 37 C.F.R. 1.131; Declaration of Michael Sullivan for Application 08/926,246	CW 0324119	CW 0324134	590	R, P, H, MIL	
240	04/04/01	Email Dalton to Morgan, Sullivan, Harris, Lester, Lacy, Boehm re More Prior Art	AC 0120362	AC 0120362	381		
241	04/11/2001	Memorandum from Troy Lester to Joe Nauman et al	AC 0120363	AC 0120413	1600	R, P, H	
242	04/03/01	Email Dalton to Distribution re Possible Art	AC 0120361	AC 0120361	380		
243		Science and Golf I, Proceedings of the First World Scientific Congress of 1990			1071	R, P, H, NP	
244		Standard Test Methods For Flexural Properties of Unreinforced and Reinforced Plastics and Electrical Insulating Materials (Acushnet's Comments re Office Actions Ex. D)			1082	R, P, H, NP	
245		Typical Properties of Selected Industrial Grades of Surlyn (Acushnet Markman Brief Ex. T)			1102	R, P, H, NP	
246	04/10/2001	U.S. Patent 6,213,894			1142	NP	
247	12/10/1996	Standard Test Method for Flexural Properties of Unreinforced and Reinforced Plastics and Electrical Insulating Materials ASTM D790 - 96A	CW 0119975	CW 0119983	1079	R, P, H	

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DX NO.	Date	Document Description	Begin Bates	End Bates	Control Number	Objection	Admitted
248		Properties of Surlyn Ionomer Resins Tab	DUP 0000027	DUP 0000028	751	R, P, H	
249		New Surlyn Resin Codes	DUP 0000038	DU P 0000038	752	R, P, H	
250		Typical Properties of Surlyn Ionmer Resins	DUP 0000132	DUP 0000132	753	R, P, H	
251		Surlyn, a Tough Performer that takes a Beating	DUP 000030	DUP 000035	1094	R, P, H	
252	02/28/2005	Surlyn Resin 7940 Lot Tests by DuPont	AC 0012412	AC 0012413	57		
253	02/28/2005	Surlyn Resin 8940 Lot Tests by DuPont	AC 0012417	AC 0012417	58		
254	03/21/2005	Surlyn Resin 7940 Lot Tests by DuPont	AC 0012424	AC 0012425	59		
255	04/14/2005	Surlyn Resin 7940 Lot Tests by DuPont	AC 0012464	AC 0012465	60		
256	04/14/2005	Surlyn Resin 8940 Lot Tests by DuPont	AC 0012467	AC 0012467	61		
257	04/22/2005	Surlyn Resin 8940 Lot Tests by DuPont	AC 0012473	AC 0012474	62		
258	05/09/2005	Surlyn Resin 8940 Lot Tests by DuPont	AC 0012482	AC 0012482	63		
259		File History for UK Patent Application GB 2 248 067 A			1577	NP	
260		Service Bulletin Covering Injection Molding of Estane Thermoplastic Polyurethane	CW 0274217; CW 0615862	CW 0274219; CW 0615868	511	R, P, H, M	
261		Selector Guide for Molding - Surlyn Ionomer Resin	CW 0274276	CW 0274279	1516	R, P, H	
262		Estane Properties (Part)	CW 0274280	CW 0274283	1515	R, P, H	
263	03/08/1961	U.S. Patent 3,112,521			1105	NP	
264	05/31/1961	UK Patent 869,490			1161	NP	
265	06/25/1974	U.S. Patent 3,819,768			1108	NP	
266	10/15/1975	UK Patent 1,515,196			1104	NP	
267	11/02/1976	U.S. Patent 3,989,568			1109	NP	
268	02/03/81	U.S. Patent 4,248,432			1112	NP	
269	09/29/1992	U.S. Patent 5,150,906			1119	NP	
270	02/09/1993	U.S. Patent 5,184,828			1120	NP	
271	08/06/1996	U.S. Patent 5,542,677			1128	NP	
272	09/10/1996	U.S. Patent 5,554,389			1129	NP	
273	06/27/1997	U.S. Patent 4,097,127			1110	NP	
274	03/31/1998	U.S. Patent 5,733,428			1131	NP	
275	09/08/1998	U.S. Patent 5,803,831			1133	NP	
276	03/23/99	U.S. Patent 5,885,172			337		
277	03/23/99	U.S. Patent 5,885,172			561		
278	10/26/1999	U.S. Patent 5,971,869			549		
279	07/04/2000	U.S. Patent 6,083,119			1137	NP	
280	08/08/2000	U.S. Patent 6,100,340			1138	NP	

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281	09/11/2001	U.S. Patent 5,273,286			1121	NP	
282	11/20/2001	U.S. Patent 6,319,153			1146	NP	
283		U.S. Patent 3,264,272			1106	NP	
284		U.S. Patent 3,454,280			1107	NP	
285		U.S. Patent 4,123,061			1111	NP	
286		U.S. Patent 4,442,282			1115	NP	
287		U.S. Patent 4,844,814			1117	NP	
288		U.S. Patent 5,018,742			1118	NP	
289		U.S. Patent 5,691,418			1130	NP	
290		U.S. Patent 5,795,529			1132	NP	
291		U.S. Patent 5,957,786			1135	NP	
292		U.S. Patent 6,152,836			1140	NP	
293		U.S. Patent 6,287,217			1143	NP	
294		U.S. Patent 6,314,187			1144	NP	
295		U.S. Patent 6,315,915			1145	NP	
296		U.S. Patent 6,635,716			1151	NP	
297		U.S. Patent 6,749,789			1152	NP	
298		U.S. Patent 6,755,912			1153	NP	
299		U.S. Patent 6,953,820			1157	NP	
300		U.S. Patent 5,553,852			1542	NP	
301		U.S. Patent 5,782,707			1543	NP	
302		U.S. Patent 6,679,791			1544	NP	
303		U.S. Patent 5,252,652			1545	NP	
304		U.S. Patent 6,634,961			1546	NP	
305		U.S. Patent 5,743,817			1547	NP	
306		U.S. Patent 5,803,834			1548	NP	
307		U.S. Patent 5,695,413			1549	NP	
308		U.S. Patent 5,813,924			1550	NP	
309		U.S. Patent No. 7,083,856			1603	NP	
310		U.S. Patent No. 6,342,019			1604	NP	
311		U.S. Patent No. 6,648,776			1605	NP	
312		U.S. Patent No. 6,926,621			1606	NP	
313		U.S. Patent No. 6,958,379			1607	NP	
314		U.S. Patent No. 7,008,972			1608	NP	
315		U.S. Patent No. 6,103,166			1609	NP	

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DX NO.	Date	Document Description	Begin Bates	End Bates	Control Number	Objection	Admitted
316	07/20/2007	Reexamination -- Acushnet's Request for Reexamination of U.S. Patent 6,210,293			809	R, P, H, MIL	
317	01/04/06	Reexamination -- Declaration of Hebert re Reexamination of U.S. Patent 6,506,130			904	R, P, H, MIL	
318	01/04/2006	Reexamination -- Declaration of Herbert re Reexamination of 6,210, 293			905	R, P, H, MIL	
319	01/05/2006	Reexamination -- Declaration of Dalton Under 37 C.F.R. 1.132 re Reexamination of '293 patent			887	R, P, H, MIL	
320	01/05/06	Reexamination -- Declaration of Dalton re Reexamination of U.S. Patent 6,503,156			897	R, P, H, MIL	
321	01/05/06	Reexamination -- Declaration of Dalton re Reexamination of U.S. Patent 6,506,130			898	R, P, H, MIL	
322	01/05/06	Reexamination -- Declaration of Dalton re Reexamination of U.S. Patent 6,595,873			899	R, P, H, MIL	
323	01/17/2006	Reexamination -- Office Action re '293 patent			1036	R, P, H, MIL	
324	06/28/2006	Reexamination -- Acushnet's Opposition to Callaway's Petition to the Director for Reconsideration for U.S. Patent No. 6,503,156.			801	R, P, H, MIL	
325	06/28/2006	Reexamination -- Acushnet's Opposition to Callaway's Petition to the Director of Reconsideration for '293 patent			803	R, P, H, MIL	
326	07/07/2006	Reexamination -- Order Denying Petition to Vacate in Reexamination of '293 patent			1046	R, P, H, MIL	
327	07/13/2006	Reexamination -- PTO Denial Suspend Reexam in '293 patent			1062	R, P, H, MIL	
328	03/24/2006	Reexamination -- Acushnet's Opposition to Callaway's Petition to Suspend Inter Partes Reexamination Proceedings for '130 Patent			802	R, P, H, MIL	
329	04/13/2006	Reexamination -- Petition to Vacate Order Granting Reexam			1049	R, P, H, MIL	
330	04/13/2006	Reexamination -- Petition to Vacate Patent in Reexamination as Ultra Vires			1050	R, P, H, MIL	
331	04/28/2006	Reexamination -- Petition to Suspend Reexam			1048	R, P, H, MIL	
332	01/27/2007	Reexamination -- Callaway Response to Office Action			863	R, P, H,	

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DX NO.	Date	Document Description	Begin Bates	End Bates	Control Number	Objection	Admitted
		re '293 patent				MIL	
333	01/30/2007	Reexamination -- Response to Office Action - '130			1067	R, P, H, MIL	
334	01/30/2007	Reexamination -- Response to Office Action - '873			1068	R, P, H, MIL	
335	02/06/2007	Declaration of Love III (Bridgestone v. Acushnet)			907	R, P, H, MIL	
336	02/20/2007	Declaration of Bellis (Bridgestone v. Acushnet)			889	R, P, H, MIL	
337	02/20/2007	Declaration of Morgan (Bridgestone v. Acushnet)			912	R, P, H, MIL	
338	02/27/2007	Reexamination -- Response to Office Action Mailed February 27, 2007 - '156			1069	R, P, H, MIL	
339		Office Action in Reexam Control No. 95/000,122 mailed November 5, 2007			1615	R, P, H, MIL	
340		Reexamination File History for Control No. 95/000,120			1582	R, P, H, MIL	
341		Reexamination File History for Control No. 95/000,121			1583	R, P, H, MIL	
342		Reexamination File History for Control No. 95/000,122			1584	R, P, H, MIL	
343		Reexamination File History for Control No. 95/000,123			1585	R, P, H, MIL	
344	06/01/2006	Reexamination -- PTO Denial Vacate Order Granting Reexam in '293 patent			1063	R, P, H, MIL	
345	04/17/2007	Letter to Whelan from Brannon re Reexamination Control Nos. 95/000,120 - 95/000,123			1551	R, P, H, NP	
346	04/27/2007	Reexamination -- Response to Office Action Mailed February 27, 2007 - '293			1070	R, P, H, MIL	
347		Reexamination -- Achushnet's Comments After Response to Office Action ('293 Patent)			769	R, P, H, MIL	
348		DuPont Surlyn Thermoplastic Resins "Typical Properties of Selected Grades of Surlyn" (Acushnet Request for Reexam Ex. I)			934	R, P, H, MIL	
349		History and Evolution of the Golf Ball and Golf (Acushnet Request for Reexamination Ex. M)			984	R, P, H, MIL	

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350		Reexamination -- Inter Partes Reexamination Request for Transmittal ; Request for Reexam- 6,210,293			998	R, P, H, MIL	
351		Reexamination -- Inter Partes Reexamination Request for Transmittal ; Request for Reexam- 6,503,156			999	R, P, H, MIL	
352		Reexamination -- Inter Partes Reexamination Request for Transmittal; Request for Reexam - 6,506,130			1000	R, P, H, MIL	
353		Reexamination -- Inter Partes Reexamination Request for Transmittal ; Request for Reexam- 6,595,873			1001	R, P, H, MIL	
354		Materials Marketing Materials & USA Today Article (Acushnet Request for Reexamination Ex. C)			1025	R, P, H, NP	
355		Reexamination -- Request for Inter Partes Reexamination of U.S. Patent 6,210,293			1064	R, P, H, MIL	
356		Reexamination -- Request for Inter Partes Reexamination of U.S. Patent 6,506,130			1065	R, P, H, MIL	
357		Reexamination -- Office Action re '130 Patent			1596	R, P, H, MIL	
358		Reexamination -- Office Action re '156 Patent			1597	R, P, H, MIL	
359		Reexamination -- Office Action re '873 Patent			1598	R, P, H, MIL	
360		Veneer Vol. 1	AB 0037028	AB 0037256	6	H	
361		Veneer Vol. 2	AB 0037257	AB 0037523	7	H	
362		Veneer Vol. 3	AB 0037524	AB 0037706	8	H	
363		Veneer Vol. 4	AB 0037706	AB 0037935	9	H	
364		Veneer Vol. 5	AB 0037936	AB 0038022	10	H	
365	01/16/96	Memorandum Morgan to Dalton re Product Development Priorities 1996	AC 0040353.UR	AC 0040354.UR	160	R, P, H	
366	01/16/1996	Titleist InterOffice Memo to Dalton from Morgan/Titleist and Foot-Joy World Wide re Product Development Priorities	AC 0040353.UR	AC 0040354.UR	1503	R, P, H	
367	01/18/1996	Inter office memo to Dennis Allen, Jerry Bellis, Bob Dubiel, David Longfritz, Bill Morgan, Sine and Wally Uihlein from Herb Boehm re Jan. 16 Meeting Notes	AC 0028936.UR	AC 0028938.UR	1167		
368	02/20/96	New Product Directive Multi-Layer Project X	AC 0040363.UR	AC 0040367.UR	163		
369	02/21/96	New Product Directive Project6 X Technology	AC 0040355.UR	AC 0040361.UR	161		

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DX NO.	Date	Document Description	Begin Bates	End Bates	Control Number	Objection	Admitted
370	02/21/1996	New Product Directive: Product X Technology	AC 0040355.UR	AC 0040361.UR	1504	R, P, H	
371	7/24/1997	Letter to Herbert from Morgan re Urethane "Veneer" Balls	AC 0040766	AC 0040767	1459	R, P, H	
372	7/24/1997	Letter to Morgan from Herbert re Urethane "Veneer" Balls	AC 0040765	AC 0040765	1460	R, P, H	
373	7/24/1997	Letter to Morgan from Winfield	AC 0040771	AC 0040771	1463	R, P, H	
374	09/02/97	Veneer Project Update	AC 0041186.UR	AC 0041198.UR	179		
375	06/07/2000	E-mail to Jeff Dalton, Bill Morgan, Ed Hebert from Megan Morgan re Phil Mickelson meets Veener	AC 0040465	AC 0040465	1180		
376	04/12/01	Email Morgan to Uihlein re The earliest "V" tests	AC 0028868.UR	AC 0028868.UR	140		
377	07/15/96	Memorandum by Hebert re Project X2 (Urethane Veneer Cover) Project Update	AC 0040520.UR	AC 0040520.UR	173		
378	07/24/96	Email Snell to Hebert re Urethane Veneer Ball Update	AC 0029090.UR	AC 0029091.UR	145		
379	07/24/96	Email Snell to Hebert re Urethane Veneer Ball Update	AC 0040412	AC 0040413	169		
380	05/16/96	Memorandum Sine to Allen, Bellis, Falton, Longfritz, Montigny, Morgan re Layered Cover Product Strategy Considerations	AC 0028983.UR	AC 0028995.UR	142	R, P, H	
381	05/16/1996	Titleist Draft Memo re Layered Cover Product Strategy Considerations from Bill Morgan	AC 0040393.UR	AC 0040397.UR	1506	R, P, H	
382	05/20/96	Research Notebook Ed Hebert	AC 0040875.UR	AC 0040882.UR	178	R, P, H	
383	06/12/96	1996 Spin Rate Test Summary	AC 0040396.UR	AC 0040396.UR	165	R, P, H	
384	6/20/1996	Letter to Morgan from Herbert re Layered Ball testing with Brad Faxon	AC 0040761	AC 0040763	1457	R, P, H	
385	06/25/1996	Letter from E. Herbert to Snell; Jeff Dalton; Bill Morgan; Herb Boehm CC: Dennis Brissette; Young; Jim Silveira; Paul O'Reilly re GH0, Layered Performance Ball Testing	AC 0040402	AC 0040406	167		
386	06/28/96	Email Hebert to Snell, Dalton, Morgan, Boehm	AC 0029086.UR	AC 0029088.UR	144	R, P, H	
387	07/10/96	Memorandum Boehm to Allen, Bellis, Brissette, Dalton, Dubiel, Longfritz, Morga, Sine, Uihlein re Golf Ball New Product Team Meeting - July 3, 1996	AC 0040408	AC 0040409	168	R, P, H	
388	12/00/2002	◀●Pro V1 392●▶ Manufacturing Guidelines Ball Plants I & II - Ball Construction	AC 0018460.UR	AC 0018479.UR	71		
389	12/00/2000	Pro V1 392 Manufacturing Guidelines Ball Plants I & II - Ball Construction	AC 0018480.UR	AC 0018500.UR	72		

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DX NO.	Date	Document Description	Begin Bates	End Bates	Control Number	Objection	Admitted
390	10/00/2004	◀●Pro V1x 332●▶ Manufacturing Guidelines Ball Plant III - Ball Construction	AC 0018501.UR	AC 0018527.UR	73		
391	12/00/2000	Pro V1 392 Manufacturing Guidelines Ball Plants I & II - Ball Construction	AC 0018528.UR	AC 0018548.UR	74		
392	11/00/2004	◀Pro V1-392▶ Manufacturing Guidelines Ball Plant III - Ball Construction	AC 0018549.UR	AC 0018571.UR	75		
393	11/00/2002	◀●Pro V1 392●▶ Manufacturing Guidelines Ball Plants I & II November 2002	AC 0018572.UR	AC 0018592.UR	1206		
394	12/00/2002	◀●Pro V1x 332●▶ Manufacturing Guidelines Ball Plants I, II & III - Ball Construction	AC 0018593	AC 0018617	77		
395	10/00/2004	◀Pro V1x-332▶ Manufacturing Guidelines Ball Plant III - Ball Construction	AC 0018618.UR	AC 0018647.UR	78		
396		◀--Pro V1--▶ Manufacturing Guidelines Ball October 2006	AC 0116713	AC 0116736	1231	R, P, H	
397		◀--Pro V1--▶ 5k Dozen Pilot Summary	AC 0117250	AC 0117278	1232	R, P, H	
398		◀--Pro V1x--▶ 5k Dozen Pilot Summary	AC 0117279	AC 0117317	1233	R, P, H	
399		Titleist Pro V1 and ProV1x Packaging Pictures	AC 0117465	AC 0117509	1234		
400	08/00/01	Dual Core Veneer Manufacturing Guidelines	AB 0111726	AB 0111753	17		
401	08/00/00	Acushnet Company Veneer (Pro V1-392) Manufacturing Guidelines	AB 0111784	AB 0111803	19		
402	10/00/00	Acushnet Company Veneer (Pro V1-392) Manufacturing Guidelines	AB 0111826	AB 0111844	20		
403	06/29/2000	E-mail to Megan Morgan from Jeff Dalton re Veneer + Phil = long e-mail	AC 0000925	AC 0000928	1182		
404	10/20/98	Email Dalto to Hebert, Cavallaro re Veneer Revised	AC 0019548.UR	AC 0019548.UR	97		
405	08/00/2000	Veneer (Pro V1-392) Manufacturing Guidelines Ball Plants I & II - Ball Construction	AC 0020477.UR	AC 0020495.UR	110		
406	7/00/96	Presentation Episode-Eclipse-Veneer Product Teams	AC 0040423.UR	AC 0040423.UR	170	R, P, H	
407	06/26/06	Memorandum Sine to Dalton re USGA Submissions - Veneer Urethane Cover	AC 0040496.UR	AC 0040504.UR	172	R, P, H	
408	10/20/98	Email Morgan to Boehm re Plasma and Veneer	AC 0040760	AC 0040760	176	R, P, H	
409	6/4/1997	Letter to Herbert from Silveir re Veneer Balls	AC 0040764	AC 0040764	1458	R, P, H	
410		Veneer Project Update - September 2	AC 0041187.UR	AC 0041187.UR	180		
411	01/00/00	Veneer Ball product Specifications	AC 0041270	AC 0041275	181		

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412		Veneer (Pro V1-392) Manufacturing Guidelines Ball Plants I & II - Ball Construction	AC 19804.UR	AC 19825.UR	1253		
413		Q and A Solid Core\Veneer Ball Expansion	FO 0000025	FO 0000040	763		
414		Slides and Chart of Pro V1 vs Multilayer Competitors	AC 0000072.UR	AC 0000084.UR	23	I	
415	11/15/2002	NGF Industry Shipments - 2002 Rolling 12	AC 0000234.UR	AC 0000247.UR	1511	R, P, H	
416		Vencer vs Competitors	AC 000616.UR	AC 000616.UR	51	R, P, H	
417	07/12/00	Polyurethane Projects	AC 0019566	AC 0019566	98		
418		Urethane Performance Balls Presentation	AC 0022839.UR	AC 0022893.UR	1208		
419		Urethane Performance Balls	AC 0022839.UR	AC0022893.UR	1564	R, P, H	
420		Memorandum from Wu describing polyurethanes used in the Titleist Professional and Titleist Professional 2p golf balls	AC 0131367	AC 0131369	1028	R, P, H	
421		Urethane Double-Cover Market Share Analysis (Acushnet Comments re Office Actions Ex. S)			1162	R, P, H, NP	
422	10/20/1998	Letter to Boehm from Morgan re Plasma and Veneer	AC 0040760	AC 0040760	1456	R, P, H	
423	10/20/1998	Letter to Herbert from Morgan re Veneer Revived	AC 0040768	AC 0040768	1461	R, P, H	
424	10/20/1998	Letter to Boehm from Herbert re Plasma and Veneer	AC 0040769	AC 0040769	1462	R, P, H	
425	01/12/99	Urethane Veneer Project Dual Core Experiment	AC 0040739	AC 0040784	174	R, P, H	
426	01/12/99	Urethane Veneer Project Dual Core Experiment	AC 0040739.UR	AC 0040740.UR	175		
427	1/12/1999	Urethane Veneer Project Dual Core Experiment	AC 0040739	AC 0040740	1454	R, P, H	
428	1/12/1999	Letter to Alexander and Fletcher from Herbert re Plasma Treatment Experiment	AC 0040741.UR	AC 0040741.UR	1455	R, P, H	
429	1/12/1999	Urethane Veneer Project Dual Core Experiment	AC 0040739	AC 0040740	1509	R, P, H	
430	1/12/1999	Urethane Veneer Project Dual Core Experiment	AC 0040739	AC 0040740	1553	R, P, H	
431		U.S. Patent 4,858,923			1400	NP	
432		U.S. Patent 4,865,326			1401	NP	
433		U.S. Patent 4,915,390			1402	NP	
434		U.S. Patent 4,929,407			1403	NP	
435		U.S. Patent 4,936,587			1404	NP	
436		U.S. Patent 4,949,976			1405	NP	
437		U.S. Patent 5,000,459			1406	NP	
438		U.S. Patent 5,060,954			1407	NP	
439		U.S. Patent 5,080,367			1408	NP	
440		U.S. Patent 5,158,300			1409	NP	
441		U.S. Patent 5,725,891			1410	NP	

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442		U.S. Patent 5,795,529			1411	NP	
443		U.S. Patent 5,897,884			1412	NP	
444		U.S. Patent 5,947,843			1413	NP	
445		U.S. Patent 6,042,768			1414	NP	
446		U.S. Patent 6,093,357			1415	NP	
447		U.S. Patent 6,096,255			1416	NP	
448		U.S. Patent 6,358,161			1417	NP	
449		U.S. Patent 6,465,578			1418	NP	
450		U.S. Patent 6,486,261			1419	NP	
451		U.S. Patent 6,494,791			1420	NP	
452		U.S. Patent 6,575,848			1421	NP	
453		U.S. Patent 6,609,982			1422	NP	
454		U.S. Patent 6,644,948			1423	NP	
455		U.S. Patent 6,645,414			1424	NP	
456		U.S. Patent 6,679,789			1425	NP	
457		U.S. Patent 6,705,959			1426	NP	
458		U.S. Patent 6,726,869			1427	NP	
459		U.S. Patent 6,729,976			1428	NP	
460		U.S. Patent 6,790,147			1429	NP	
461		U.S. Patent 6,797,097			1430	NP	
462		U.S. Patent 6,809,822			1431	NP	
463		U.S. Patent 6,872,423			1432	NP	
464		U.S. Patent 6,913,547			1433	NP	
465		U.S. Patent 6,913,550			1434	NP	
466		U.S. Patent 6,923,736			1435	NP	
467		U.S. Patent 6,945,880			1436	NP	
468		U.S. Patent 6,998,083			1437	NP	
469		U.S. Patent 6,998,445			1438	NP	
470		U.S. Patent 7,009,005			1439	NP	
471		U.S. Patent 7,033,287			1440	NP	
472		U.S. Patent 7,033,532			1441	NP	
473		U.S. Patent 7,041,245			1442	NP	
474		U.S. Patent 7,041,743			1443	NP	
475		U.S. Patent 7,044,864			1444	NP	
476		U.S. Patent 7,090,798			1445		

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477		U.S. Patent 7,105,610			1446	NP	
478		U.S. Patent 7,873,757			1447	NP	
479		U.S. Patent 5,029,870			1448	NP	
480		U.S. Patent 5,080,367			1449	NP	
481		U.S. Patent 5,888,437			1450	NP	
482	09/00/01	Pro V1* 392 Manufacturing Guidelines	AB 0111755	AB 0111782	18		
483	03/00/02	Pro V1* 392 Manufacturing Guidelines	AB 0111963	AB 0111990	21		
484	09/00/2001	Pro V1x 392 Manufacturing Guidelines Ball Plants I, II & III	AC 0046733	AC 0046756	193		
485		Pro V1-392 (Japan) Manufacturing Guidelines	AC 0065364.UR	AC 0065364.UR	1217		
486	10/00/2006	Pro V1 Manufacturing Guidelines Ball Plant III	AC 0116713	AC 0116736	373	R, P, H	
487	08/02/02	Letter Arturi to Rider re Outstanding Club and Ball Patent Issues CC: Thomas J. Kennedy; Michelle Bugbee; Klein	CW 0325448	CW 0325450	594	408, R, P, H, MIL	
488	08/08/2002	Email to Arturi from Nauman with proposed urthethane license	CW 0274062	CW 0274074	506	408, R, P, H, MIL	
489	09/19/02	Email (with attachments) Nauman to Arturi re Proposed Urethane License	CW 0274042	CW 0274061	505	408, R, P, H, MIL	
490	09/19/2002	Email Nauman to Arturi re Proposed Urethane License	CW 00615365	CW 00615375	1566	R, P, H, 408, MIL	
491	10/08/02	Email Arturi to Nauman re Proposed Urethane License	CW 0274041	CW 0274041	504	408, R, P, H, MIL	
492	10/8/2002	Email, Arturi to Nauman re Proposed Urethane License	CW 00615364	CW 00615364	1510	R, P, H, 408, MIL	
493	08/15/2000	Letter from Steve McCracken to Joseph Nauman re Acushnet Golf Ball Patents	CW 0274660	CW 0274666	522	408, R, P, H, MIL	
494	12/18/2000	Letter to McCracken from Nauman re Patent License Proposal	CW 0274558	CW 0274560	521	408, R, P, H, MIL	
495	12/18/2000	Letter to McCracken from Nauman, dated 12/18/2000	CW 0274558	CW 0274560	1018	R, P, H, 408, MIL	
496	12/21/2000	Letter to Joseph Nauman from Michael Catania re Acushnet Patents	CW 0274550	CW 0274551	1273	R, P, H, 408, MIL	
497	01/11/2001	Callaway Golf Discussion Proposal patent License	CW 0274538	CW 0274539	519	408, R, P, H, MIL	

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DX NO.	Date	Document Description	Begin Bates	End Bates	Control Number	Objection	Admitted
498	01/15/01	Letter McCracken to Arturi re Hogan Apex Edge Irons	CW 0325456	CW 0325458	597	408, R, P, H, MIL	
499	01/17/2001	Confidentiality Agreement between Callaway and Acushnet	AC 0099585	AC 0099586	1224	R, P, H, 408, MIL	
500	01/22/2001	Acushnet Discussion Proposal patent License	CW 0274519	CW 0274521	518	408, R, P, H, MIL	
501	01/26/2001	Press Release Introduction fo Pro V1	AC 0089690	AC 0089691	334		
502	02/02/2001	Amendment to 09/776,278	CW 0309054	CW 0309061	814	MIL	
503	02/05/2001	Agreement In Principle patent License	CW 0274515	CW 0274518	517	408, R, P, H, MIL	
504	01/16/02	Letter(with attachments) Arturi to Nauman U.S. Patent Nos. 6,210,293 and 6,213,894/Titleist Pro V1	AC 0100109	AC 010111	346	R, P, H, 408, MIL	
505	01/16/2002	Letter to Nauman from Arturi	CW 0274115	CW 0274116	508	408, R, P, H, MIL	
506	01/16/2002	Letter to Nauman from Arturi re patents 293, 894 / Titleist Pro V1	CW 0615308	CW 0615310	681	408, R, P, H, MIL	
507	01/22/02	Letter (with attachments) Nauman to Arturi U.S. Patent Nos. 6,210,293 and 6,213,894/Titleist Pro V1	AC 0099819	AC 0099820	342	R, P, H, 408, MIL	
508	01/22/2002	Letter to Peter Artuir from Joseph Nauman re Patents '293 & '894/Titleist Pro V1	CW 0274356	CW 0274358	513	408, R, P, H, MIL	
509	01/22/2002	Letter to Arturi from Joseph Nauman re 293 and 849 . Titleist Pro V1	CW 0615311	CW 0615312	682	408, R, P, H, MIL	
510	02/16/2001	Callaway Golf Discussion Proposal patent License	CW 0274466	CW 0274468	515	408, R, P, H, MIL	
511	02/16/2001	Email to J. Nauman from S. MacCracken re Patents	CW 0299448	CW 0299451	551	408, R, P, H, MIL	
512	02/16/2001	E-mail to Joe Nauman from Steve McCracken re Patents	AC 0099549	AC 0099552	1222	R, P, H, 408, MIL	
513	08/21/2003	Proposed Term Sheet Patent License - Acushnet Draft	AC 0100025	AC 0100026	1227	R, P, H, 408, MIL	
514	08/22/03	Email String Nauman to Steve McCracken from Joe Nauman re 510 license Agreement	AC 0100019	AC 0100031	343	R, P, H, 408, MIL	
515	08/26/03	Letter McCracken to Nauman re Potential License Agreement	CW 0282408	CW 0282412	540	408, R, P, H	

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DX NO.	Date	Document Description	Begin Bates	End Bates	Control Number	Objection	Admitted
516	08/26/2003	Letter to Joseph Nauman from Steve McCracken re Potential License Agreement	CW 0325715	CW 0325720	600	408, R, P, H, MIL	
517	12/06/2001	Letter to Nauman from Arturi re patents 293, 894 / Titleist Pro V1	CW 0615303	CW 0615303	680	408, R, P, H, MIL	
518	12/07/01	Letter (with attachments) Nauman to Arturi U.S. Patent Nos. 6,210,293 and 6,213,894/Titleist Pro V1	AC 099813	AC 0099816	396	R, P, H, 408, MIL	
519	12/07/2001	Letter to Arturi from Nauman with Attachments,	CW 0274118	CW 0274121	509	408, R, P, H, MIL	
520	12/19/01	Memorandum Flocco to Distribution re Approval for Acushnet Capital Expenditure	FO 0000077	FO 0000091	761		
521	12/23/2001	Fax to Steve McCracken from Joe Nauman re Proposed Patent License	AC 0099582	AC 0099584	1223	R, P, H, 408, MIL	
522	3/18/2002	Letter from Joseph Nauman to Peter Arturi re U.S. Patent Nos. 6,210,293 and 6,213,894	CW 0274085	CW 0274088	1270	R, P, H, 408, MIL	
523	03/04/02	Letter (with attachments) Bugbee to Lester re U.S. Patent Nos. 6,210,293 and 6,213,894/Titleist Pro V1	CW 0615313	CW 0615325	683	408, R, P, H	
524		Letter from Nauman to Arturi re U.S. Patent Nos. 6,210,293 and 6,213,894 / Titleist Pro V1	AC 0099813	AC 0099816	1197	R, P, H, 408, MIL	
525	12/10/2002	E-mail to Peter Arturi from Joe Nauman re December 12 Meeting at Framingham Sheraton	CW 0274036	CW 0274036	1269	R, P, H, 408, MIL	
526	11/08/02	Email Arturi to Nauman re Next Meeting	CW 0274039	CW 0274039	503	408, R, P, H, MIL	
527	05/24/02	Letter Arturi to Nauman re U.S. Patent Nos. 6,210,293 and 6,213,894/Titleist Pro V1	CW 0274076	CW 0274076	507	408, R, P, H, MIL	
528		Letter from Nauman to Arturi re U.S. Patent Nos. 6,210,293 and 6,213,894 / Titleist Pro V1	CW 0274076	CW 0274076	1169	R, P, H, 408, MIL	
529	12/06/2001	Letter to Joseph Nauman from Arturi re Patents '293 & '894/titleist Pro V1; Letter from Arturi to Joseph Nauman re Titleist Pro V1	CW 0274122	CW 0274122	510	408, R, P, H, MIL	
530	05/24/2002	Letter to Joseph Nauman from Peter Arturi re U.S. Patent Nos. 6,210,293 and 6,213,894/Titleist Pro V1	CW 0274378	CW 027386	1271	R, P, H, 408, MIL	
531	12/10/02	Email Nauman to Arturi re Thursday, December 12th Meeting at Framingham Sheraton	CW 0274412	CW 0274412	514	408, R, P, H, MIL	
532	08/26/2003	Letter to Joseph Nauman from Steven McCracken re Potential License Agreement	AC 0017173	AC 0017174	1205	R, P, H, 408	

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DX NO.	Date	Document Description	Begin Bates	End Bates	Control Number	Objection	Admitted
533	08/07/2003	E-mail to Joe Nauman from Ben Fackler re Top-Flite Revised License Term Sheet (cc'd Mark Roche)	AC 0100030	AC 0100031	1228	R, P, H, 408	
534	09/04/2003	Callaway Golf, Press Release, "Callaway Golf Approved as Buyer of Top-Flite", 09/04/2003; Callaway Golf, Press Release, "Callaway Golf Wins Auction for Top-Flite", 09/04/2003 (www.callawaygolf.com)			857	R, P, H, NP	
535	06/30/2004	Callaway Golf Company Form 10-Q for quarterly period ending 6/30/04 (Cormier Ex. 5)			844	R, P, H, NP	
536	12/31/2003	Callaway Golf Company, SEC Form 10-K for the fiscal year ending 12/31/2003			846	R, P, H, NP	
537	12/31/2004	Callaway Golf Company, SEC Form 10-K for the fiscal year ending 12/31/2004, Page 20-21			847	R, P, H, NP	
538	12/31/2006	Callaway Golf Company, SEC Form 10-K, for the fiscal year ending 12/31/2006			848	R, P, H, NP	
539		Intangible Asset Valuation	CW 0325176	CW 0325188	591	R, P, H	
540	12/31/2000	Spalding Corporation, SEC Form, 10-K, for the fiscal year ending 12/31/2000			1076	R, P, H, NP	
541	12/31/2005	Callaway Golf Company, SEC Form 10-K, for the fiscal year ending 12/31/2005			1591	R, P, H	
542	08/11/03	Amendment No. 1 to Asset Purchase Agreement between Top-Flite Golf Company and Spalding Sports Worldwide, Inc.	CW 0282496	CW 0282505	542		
543		Schedule 2.14 Intellectual Property	CW 0274938	CW 0274939	524		
544		Attachment 2.15 Shc, Inc. and Subsidiaries Pending and Threatened Litigation	CW 0275192	CW 0275194	525	R, P	
545	01/09/1997	E & S Holings Corporation, Prospectus, 01/09/1997, unnumbered Page 1			935	R, P, H, A	
546	09/30/1997	Evenflo & Spalding Holding Corporation, SEC Form 10-K, for the fiscal year ending 09/30/1997			950	R, P, H	
547	06/30/03	Asset Purchase agreement between The Top-Flite Golf Company and Callaway Golf Company	CW 0282413	CW 0282495	541		
548	06/30/03	Asset Purchase Agreement between Top-Flite Golf Company and Callaway Golf Company Volumes 1 - 5	CW 0284211	CW 0288092	543		
549	06/30/2003	Asset Purchase Agreement between The Top-Flite Golf Company (f/k/a Spalding Sports Worldwide, Inc.) and	CW 0287531	CW 0287605	1484		

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DX NO.	Date	Document Description	Begin Bates	End Bates	Control Number	Objection	Admitted
		Callaway Golf Company					
550	01/27/2004	Letter to Michael Uster from Eric Nelson re Callaway Golf Company purchase price allocation	CW 0282370	CW 0282373	534	408, R, P, H	
551	07/01/02	Letter Rider to Arturi re Response to 4/30/02 letter to Arturi	CW 0325451	CW 0325454	595	408, R, P, H, MIL	
552	05/01/02	Letter McCracken to Arturi re Callaway Golf/Spalding Intellectual Property Issues	CW 0325455	CW 0325455	596	408, R, P, H, MIL	
553	04/30/2002	Letter Arturi to McCracken re Callaway/ Spalding Intellectual Property Issues	CW 0325459	CW 0325460	598	408, R, P, H, MIL	
554		Callaway Golf Company - 2003 Annual Report (Cormier Dep. Ex. 4)			1202	R, P, H, NP	
555		Callaway 2002 Annual Report			1599	R, P, H	
556	11/04/99	Callaway Golf Ball Company Testing Team Meeting Agenda	CW 0120105	CW 0120107	455	R, P, H	
557	11/11/99	Callaway Golf Ball Company Testing Team Meeting Minutes	CW 0078097	CW 0078099	441	R, P, H	
558	11/11/99	Callaway Golf Ball Company Testing Team Meeting Agenda	CW 0078100	CW 0078109	442	R, P, H	
559	10/6/99	GBPG Mtg Notes	CW 1882863	CW 1882866	745	R, P, H	
560	12/14/00	Product Integration Group Meeting Notes	CW 0332893	CW 0332894	604	R, P, H, A	
561	08/10/01	Callaway Golf Ball Manufacturing Specification	CW 0008576	CW 0008587	408	R, P, H	
562	08/24/01	Callaway Golf Ball Manufacturing Specification	CW 0008582	CW 0008584	409	R, P, H	
563	11/18/99	Memorandum Yagley to PDC re Minutes from November 16, 1999 @3:00pm/PDC Meeting	CW 0080224	CW 0080225	446	R, P, H	
564	01/01/2000	License Agreement between Acushnet Company and Callaway Golf Ball Company	CW 0274474	CW 0274489	516	408, R, P, H, MIL	
565	02/11/00	Letter (with attachment) Weddell to Catania re Flex Modulus Data on Surlyn 8150/9150/6320	CW 0179607	CW 0179609	470	R, P, H	
566	02/18/00	Memorandum Rudzik to Manufacturing Review Committee re Manufacturing Review Committee Minute - 2/16/00	AC 0065879	AC 0065895	314		
567	03/08/2000	Email Morgan to Hebert re Veneer Strategy is defined March 6, 2000	AC 0000253.UR	AC 0000254.UR	24		
568	05/05/98	Minutes Callaway Golf Company Product	CW 0014308	CW 0014311	422	R, P, H	

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DX NO.	Date	Document Description	Begin Bates	End Bates	Control Number	Objection	Admitted
		Development Committee					
569	5/8/1998	Rooke Group Examination of Golf Ball Brands and Purchase Criteria	CW 0213978	CW 0214055	1533	R, P, H	
570	05/15/98	Action Items and Note from Golf Ball Product Group Meeting	CW 0014340	CW 0014341	423	R, P, H	
571	05/20/98	Minutes Callaway Golf Company Product Development Committee	CW 1895677	CW 1895678	747	R, P, H	
572	06/08/98	R&D Meeting minutes	CW 1789259	CW 1789264	727	R, P, H	
573	06/09/98	Minutes Callaway Golf Company Product Development Committee	CW 0075674	CW 0075676	437	R, P, H	
574	06/30/98	Minutes Callaway Golf Company Product Development Committee	CW 0014446	CW 0014447	424	R, P, H	
575		Draft Letter Kennedy to Farricker re Technical Perspective on New Callaway Golf Balls	CW 1850611	CW 1850612	732	R, P, H	
576		Draft Letter Kennedy to Jim re Golf Ball Innovations	CW 1850856	CW 1850858	735	R, P, H	
577		Callaway Golf List of R&D Potential Products	CW 1866003	CW 1866003	740	R, P, H	
578		Callaway Golf Ball Company New Hire Training Making of Champions	CW 1867535	CW 1867814	741	R, P, H	
579		Callaway Golf Ball Company Marketing Plan	CW 1868151	CW 1868419	743	R, P, H	
580	08/18/99	Memorandum Chapman to PDC re Minutes from Tuesday, August 17, 1999 @3:00pm/PDC Meeting	CW 0080236	CW 0080238	447	R, P, H	
581	07/02/99	Memorandum Chapman to PDC re Minutes from Tuesday, June 22, 1999 @3:00am/PDC Meeting	CW 0080254	CW 0080255	448	R, P, H	
582		Callaway Golf Competitive Ball Technical Profile	CW 0080466	CW 0080467	449		
583		Callaway with Logo in Blue	CW 0081794	CW 0081795	450		
584		Callaway Golf Competitive Ball Technical Profile	CW 0081796	CW 0081797	451		
585	04/21/03	Callaway Golf Ball Company Test Request	CW 0087631	CW 0087631	452	R, P, H	
586	10/16/00	Email Yagley to McCool re Core Size and Cover Thickness	CW 0092765	CW 0092765	453	R, P, H	
587	06/13/00	CB-3 Capacity Conclusions	CW 0094298	CW 0094305	454	R, P, H	
588		Ogg Lab Notebook	CW 0107453	CW 01107616	1490	R, P, H	
589	02/04.0000	Memorandum to Chuck Yash and Mark King re 1999 Orlando Show Report	CW 0119962	CW 0119967	1486	R, P, H	
590		Presentation The Callaway Golf Ball	CW 0124330	CW 0124335	456		
591	08/29/00	PIT Meeting notes	CW 0280018	CW 02800178	526	R, P, H	

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592		Southland Slices	CW 0280327	CW 0280329	533	R, P, H	
593	10/21/2003	The Science of Golf Balls: Evolving Structures and Materials Multi Layer Structure	CW 0299424	CW 0299425	550	R, P, H	
594	12/5/1998	Callaway Golf Technology Review Meeting	CW 0154154	CW 0154313	1529	R, P, H	
595	12/4/1997	Callaway Golf Technology Review Meeting	CW 0154314	CW 0154469	1528	R, P, H	
596	01/07/02	Memorandum Kennedy to Craigie re New Product Update	CW 1850553	CW 1850557	731		
597	06/25/02	Spalding Draft Press Release Leader in Golf Ball Technology Unveils "Best Ever" Ben Hogan Apex Tour	CW 1850533	CW 1850536	730	R, P, H	
598		Definition of Core - Websters (Acushnet's Responsive Markman Brief Ex. HH)			932	R, P, H, MIL	
599	08/23/2003	Shore D Testing Titleist Pro V1 392 Ball ; QC Hardness Measurements	AC 0057440	AC 0057440	234	I	
600	08/23/2003	Shore D Testing Titleist Pro V1x 332 Ball; QC Hardness Measurements	AC 0057460	AC 0057460	252	I	
601	09/02/2003	Shore D Testing Titleist Pro V1; Titleist Pro V1 392 Shore D Quality Control Results; QC Hardness Measurements	AC 0057442	AC 0057442	236	I	
602	09/02/2003	Shore D Testing Titleist Pro V1x 332 Ball	AC 0057462	AC 0057462	254	I	
603	09/03/2003	QC Hardness Measurements	AC 0057441	AC 0057441	235	I	
604	08/12/2003	QC Hardness Measurements	AC 0057434	AC 0057435	230	I	
605	08/14/2003	Shore D Testing Titleist Pro V1; QC Hardness Measurements	AC 0057438	AC 0057438	232	I	
606	08/11/2003	Shore D Testing Titleist Pro V1; QC Hardness Measurements	AC 0057436	AC 0057436	231	I	
607		Physical ball sample -- ◀Pro V1 392▶			1305		
608		Physical ball sample -- ◀●Pro V1 392●▶			1306		
609		Physical ball sample -- ◀●Pro V1x 332●▶			1307		
610		Physical ball sample -- ◀Pro V1 ● 392▶			1308		
611		Physical ball sample -- ◀--Pro V1--▶			1309		
612		Physical ball sample -- ◀Pro V1-392▶			1310		
613		Physical ball sample -- ◀--Pro V1x--▶			1311		
614		Physical ball sample -- ◀Pro V1 Star 392▶			1312		
615		Physical ball sample -- ◀Pro V1x-332▶			1313		

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616	10/00/04	Pro V1x - 332 Manufacturing Guidelines	AB 0015471	AB 0015497	1		
617	12/00/02	ProV1x 392 Manufacturing Guidelines	AB 0015563	AB 0015587	2		
618	10/00/04	Pro V1x - 332 Manufacturing Guidelines	AB 0015588	AB 0015617	3		
619		Improved Pro V1 /I	AB 0034583	AB 0034829	4		
620		Improved Pro V1 /II	AB 0034830	AB 0035195	5		
621	12/00/00	Acushnet Company Pro V1 392 Manufacturing Guidelines	AB 0038279	AB 0038299	11		
622	11/00/02	Pro V1 392 Manufacturing Guidelines	AB 0038341	AB 0038361	12		
623	11/00/04	Pro V1 - 392 Manufacturing Guidelines	AB 0038532	AB 0038560	13		
624	04/29/2002	Shore D Testing Pro V1 Star (ball); QC Hardness Measurements	AC 0054583	AC 0054583	206		
625	03/14/2003	Shore D Tetsing Titleist pro V1 392 Ball; QC Hardness Measurements	AC 0057424	AC 0057424	223	I	
626	04/30/2003	QC Hardness Measurements	AC 0057425	AC 0057425	224	I	
627	07/28/2003	Shore D Testing Titleist Pro V1 392 Ball ; QC Hardness Measurements	AC 0057433	AC 0057433	229	I	
628	06/09/2003	QC Hardness Measurements	AC 0057439	AC 0057439	233	I	
629	03/14/2003	QC Hardness Measurements	AC 0057444	AC 0057444	237	I	
630	04/30/2003	QC Hardness Measurements	AC 0057445	AC 0057445	238	I	
631	05/14/2003	QC Hardness Measurements; Shore D Testing Titleist Pro V1x 332 Ball (13-18)	AC 0057447	AC 0057447	240	I	
632	07/28/2003	Shore D Testing Titleist Pro V1x 332 Ball; QC Hardness Measurements	AC 0057453	AC 0057453	246	I	
633	01/05/2005	Shore D Testing Titleist Pro V1 392 Ball (inner cover); QC Hardness Measurements	AC 0059632	AC 0059642	275		
634		Press Release re Titleist the # Ball Played at the US Open for the 57th Connecticut year	AC 0014582	AC 0014583	67	R, P, H	
635	05/17/2006	1Q 2006 Competitive Spending Report	AC 0064971	AC 0064979	1500	R, P, H	
636	04/06/06	Thin Wins	CW 0212871	CW 0212874	474		
637	10/27/2004	Callaway Golf 2005 Planning-Ball Marketing Strategy Part III	YR 003352	YR 003356	1471	R, P, H	
638	7/28/2005	Callaway Golf Brand Plan	CW 001689587	CW 001689661	1513	R, P, H	
639	11/01/2005	U.S. Patent 6,960,630			340		
640	11/22/2005	2006 Media Plan Recommendation	AC 0063293	AC 0063365	1501	R, P, H	
641	11/14/2000	Golf Channel/ Web Spots	YR 011686	YR 011688	1478	R, P, H	

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642	07/28/05	Callaway Golf A Better Game by Design Brand Plan	CW 1689587	CW 1689661	725	R, P, H	
643	08/08/05	Callaway Golf 2006 Golf Ball Product Plan	CW 0525214	CW 0525214	649	R, P, H	
644	05/22/2007	Titleist Press Web (Acushnet SJ of Invalidity Ex. 49)			1100	R, P, H, NP	
645	05/25/2007	Based on Darrell Survey, "Ball Models Played by Year, 1997-2007;	CW 0383524	CW 0383527	620		
646	05/27/2007	Titleist Advertisement (Acushnet Comments re Office Actions Ex. Q)			1097	R, P, H, NP	
647	05/29/2007	Reexamination -- Declaration of MacKnight in Support of Re-Exam			909	R, P, H, MIL	
648	05/30/2007	Callaway's Supplemental Responses to 1st Set of Interrogatories [Nos 1 - 4]			875	R, P, H, NP	
649	06/01/2007	Golf Ball Mission Statement	AC 0020946	AC 0020954	115		
650	06/01/2007	"Titleist Scores Big with New Ball, " John Steinberder	AC 0089540	AC 0089546	328		
651	06/01/2007	AW02770, Chapter 9 Titleist Advertisement	AW 02770	AW 02770	405		
652	06/01/2007	Introducing The New CGB Rule 35	CW 0056957	CW 0056958	433		
653	06/01/2007	Rule 35 Strongfeel Product Launch Summary	CW 0063353	CW 0063353	434		
654	06/01/2007	AD for CTU 30 Blue and Red	CW 0197852	CW 0197852	471		
655	07/13/2007	Emails re Product Development	AC 0101368.UR	AC 0101377.UR	356	R, P, H	
656	07/13/2007	Pinnacle Consumer Research Summary	AC 0103937.UR	AC 0103965.UR	363	R, P, H	
657	07/13/2007	Titleist and Pinnacle Custom Golf Balls	AC 0116316	AC 0116395	372	R, P, H	
658	07/13/2007	National Golf Foundation Reports 2004	AC 0126713	AC 0126772	383	R, P, H	
659	07/13/2007	Callaway Golf Ball Marketing 2005-2007: Adding Definition and Identity to Become the Real Number Two	YR 008044	YR 008077	765	R, P, H	
660	07/13/2007	Callaway Golf Ball Marketing 2005-2007: Adding Definition and Identity to Become the Real Number Two	YR 008053	YR 008083	766	R, P, H	
661	07/13/2007	Callaway Golf Ball Marketing 2005-2007: Adding Definition and Identity to Become the Real Number Two	YR 008059	YR 008053	767	R, P, H	
662	07/13/2007	Positioning the Callaway HX Hot Ball: Exploratory Research, Y & R Brands 01/28/2004	YR 012241	YR 012255	768	R, P, H	
663	00/00/2002	Spring 2002 Marketing Overview and Sales Report	AC 0023940.UR	AC 0024080.UR	1210		
664	00/00/2002	Ben Hogan Brand Outlook 2002 Sales and Marketing	CW 1650718	CW 1650728	1279	R, P, H	

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DX NO.	Date	Document Description	Begin Bates	End Bates	Control Number	Objection	Admitted
		Synopsis					
665	00/00/2003	Competitive Ball Review 2003	AC 0076501.UR	AC 0076556.UR	320	R, P, H	
666	00/00/2003	U.S. 2003 Retail Golf Ball Market	CW 1138630	CW 1138637	709		
667	00/00/2004	Competitive Ball Review 2004	AC 0076557	AC 0076602	322	R, P, H	
668	00/00/2004	Callaway Golf Ball Company International Sales and Marketing Meeting 10/1999	CW 0215607	CW 0215778	478	R, P, H	
669	00/00/2004	Callaway HX Tour 56 advertisement	YR 000030	YR 000031	1466	R, P, H	
670	00/00/2005	Competitive Ball Review 2005	AC 0076603	AC 0076671	323	R, P, H	
671	00/00/2005	Callaway HX Tour 56 advertisement	YR 000018	YR 000019	1465	R, P, H	
672	00/00/2005	Callaway HX Tour 56 advertisement	YR 000074	YR 000074	1467	R, P, H	
673		Callaway ad script for Phil Mickelson	YR 002546	YR 002547	1469	R, P, H	
674		Brand X-Series "Out There" spot outline	YR 011670	YR 011679	1477	R, P, H	
675		Presentation: HX Tour 56 Staffer Survey	YR 014096	YR 014113	1480	R, P, H	
676		Callaway Branding Presentation Document	CW 0008888	CW 0008898	1481	R, P, H	
677		Golfer Survey	CW 00532398	CW 00532427	1491	R, P, H	
678		Consumer Research Background	AC 0036890	AC 0036933	1492	R, P, H	
679		Consumer Research Background	AC 0112048.UR	AC 0112092.UR	1493	R, P, H	
680		Consumer Research Background	AC 0111901	AC 0111930	1494	R, P, H	
681		Survey Summary	AC 0036773	AC 0036776	1495	R, P, H	
682		NXT Tour Callaway Rule 35 Red Presentation	AC 0107976	AC 0108003	1496	R, P, H	
683		Golf Ball Advertising Expenditures & Market Share (2000/01)	CW 001685200	CW 001685200	1512	R, P, H	
684	02/25/2002	Presentation: Callaway Golf Destination and Brand Assessment - Balls and Irons	CW 0009322	CW 0009382	1482	R, P, H	
685	03/10/02	Letter (with attachments) Ostrom to Bohn re 2006 Media Budget Summary/Flow Chart Update	AC 0065229.UR	AC 0065250.UR	313		
686	04/08/02	Callaway Golf Balls - Research Findings and Strategic Conclusions	CW 0009164	CW 0009321	418	R, P, H	
687		Callaway Slide - "Key Learning"	CW 0008889	CW 0008889	410	R, P, H	
688		Callaway Slide - "Key Learning"	CW 0008890	CW 0008890	411	R, P, H	
689		Callaway Slide "Key Learning"	CW 0008891	CW 0008891	412	R, P, H	
690		Callaway Slide - "Summary of Communications Platform"	CW 0008892	CW 0008892	413	R, P, H	
691		Titleist Advertisements	AW 00001	AW 00050	399		
692		Pro V1 brochure	AW 00041	AW 00041	401		

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DX NO.	Date	Document Description	Begin Bates	End Bates	Control Number	Objection	Admitted
693		Callaway Golf Catalogue	CW 0212938	CW 0212965	475		
694		Callaway Launch Plan (draft)	CW 0214082	CW 0214101	477	R, P, H	
695		Callaway Golf Ball Sales and Marketing Presentation	CW 0215941	CW 0215962	479	R, P, H	
696		Callaway Golf 2005 Marketing Plan Overview	CW 0366865	CW 0367011	609	R, P, H	
697		Callaway Golf 2006 Marketing Plan Overview	CW 0367012	CW 0367133	610	R, P, H	
698		Presentation Callaway Golf A Better Game by Design	CW 0367134	CW 0367272	611	R, P, H	
699		Factors That Will Increase or Decrease Category in the Upcoming Year	CW 0507615	CW 0507616	634	R, P, H	
700		Callaway Golf Company Organizational Charts	CW 0508961	CW 0508964	635	R, P, H	
701	10/12/2004	Memorandum re: Phil Mickelson Photo Shoot 10/22/2004	YR 001067	YR 001069	1468	R, P, H	
702	11/00/2004	MI-5 Market Intel Brief	YR 003160	YR 003226	1470	R, P, H	
703	08/03/2004	Brand Reinvention Rollout Plan	YR 004866	YR 004884	1472	R, P, H	
704	09/30/2004	Callaway Golf Planning Part I	YR 004941	YR 004943	1473	R, P, H	
705	12/21/2004	Memo from NGF Research to Callaway Team re 2004 Late Season Report Highlights	YR 010697	YR 010698	1474	R, P, H	
706	02/00/2005	Callaway Presentation: Market Update	YR 010963	YR 011043	1475	R, P, H	
707	05/18/2005	Callaway Golf Ball Marketing 2005-2007: Adding Definition and Identity to Become the Real Number Two	YR 011467	YR 011500	1476	R, P, H	
708	12/20/2005	HX Tour / Phil Mickelson Television Spot outline	YR 011689	YR 011694	1479	R, P, H	
709	05/17/2006	Letter to Mary Lou Bohn from Lauren Ostrom re 1Q 2006 Competitive Spending Report	AC 0064971.UR	AC 0064979.UR	1541	R, P, H	
710	07/16/2004	Letter to Janice Simoneau from Lauren Ostrom re 2Q 2004 Competitive Spending Report	AC 0065025.UR	AC 0065033.UR	1535	R, P, H	
711	12/22/2003	Letter to Janice Simoneau from Lauren Ostrom re 3Q 2003 Competitive Spending Report	AC 0065050.UR	AC 0065056.UR	1536	R, P, H	
712	04/24/2003	Letter to Janice Simoneau from Laurie Whelan re 1Q 2003 Competitive Spending Report	AC 0065060.UR	AC 0065067.UR	1537	R, P, H	
713	01/27/2003	Letter to Janice Simoneau from Laurie Whelan re 2002 Competitive Spending Report - Full Year	AC 0065068.UR	AC 0065074.UR	1538	R, P, H	
714	07/22/02	Letter (with attachments) Whelan to Simoneau re 2002 Competitive Spending Report - 2Q	AC 0065075.UR	AC 0065093.UR	312		
715	04/27/2001	Letter to Janice Simoneau from Michael Bianco re 2001 Combined Print/Network Competitive Spending	AC 0065113.UR	AC 0065118.UR	1539	R, P, H	

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		Report - First Quarter					
716	04/27/2001	Letter to Janice Simoneau from Jeff Gagne re 2001 Network Competitive Report First Quarter	AC 0065119.UR	AC 0065122.UR	1540	R, P, H	
717	05/08/02	Script re Callaway Balls	CW 0009149	CW 0009163	417	R, P, H	
718	10/18/2000	Ball Company Update	CW 0009518	CW 0009547	420		
719	03/22/1999	1999 - 2000 Callaway Golf Ball Company Marketing Communications Plan	CW 0009560	CW 0009631	1483	R, P, H	
720	07/15/2002	Golf Ball Strategy Planning Session	CW 0009635	CW 0009720	1499	R, P, H	
721		Callaway Golf Ball 3-5 Year Projection	CW 0009723	CW 0009734	421		
722		Ben Hogan Brand Outlook	CW 001650718	CW 001650728	1554	R, P, H	
723	10/17/97	Brand(s) That Employ the Most Advanced Technology	CW 0511529	CW 0511536	636	R, P, H	
724		Spalding Golf Ball Brand Positioning Discussion June 14, 2000	CW 0531454	CW 0531514	652	R, P, H	
725		Segment 7 of CW 0366837, Ad. No. 000305005 ("Not all men are afraid of commitment")			1611	R, P, H, NP	
726		Segment 9 of CW 0366837, Ad. No. 000310234 ("Some people pray for miracles")			1612	R, P, H, NP	
727		Segment 12 of CW 0366837, Ad. No. 000501929 ("Some people take golf balls seriously")			1613	R, P, H, NP	
728		Segment 10 of CW 0366837, Ad. No. 000401968 ("I trusted Titleist")			1610	R, P, H, NP	
729		Titleist Business Overview	AC 0020726.UR	AC 0020782.UR	1207	R, P, H	
730		Titleist Business Overview	AC 0020726.UR	AC 0020782.UR	1563	R, P, H	
731		Pro V 1 ads (Acushnet's Reply Brief in Support of SJ of Invalidity Ex. 70)			1059	R, P, H, MIL	
732	11/00/04	Titleist and Pinnacle International Sales and Marketing Meeting	AC 0023121.UR	AC 0023201.UR	121	R, P, H	
733		July 2001 Sales Meeting	AC 0023741.UR	AC 0023864.UR	1562	R, P, H	
734		Acushnet Company Golf Ball Sales Comparison March: 2002 vs 2001	AC 0023940.UR	AC 0024080.UR	129		
735	01/00/01	Sales Meeting Presentation	AC 0028380.UR	AC 0028437.UR	137		
736	01/00/2003	January 2003 Sales Meeting andMarket Review	AC 0030277.UR	AC 0030382.UR	1211		
737		January 2003 Sales Meeting	AC 0030277.UR	AC 0030382.UR	1557	R, P, H	
738		January 2004 Sales Leader Meeting - Fairhaven	AC 0103937.UR	AC 0103965.UR	1561	R, P, H	

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739	01/00/2004	January 2004 Sales Meeting Fair haven	AC 0103957.UR	AC 0103960.UR	364	R, P, H	
740	05/28/2003	Top-Flite Sales and Marketing Overview	CW 1850926	CW 1850988	1281	R, P, H	
741	10/12/2000	Titleist Advances Golf Ball Technology Leadership Position on PGA Tour with Debut of Pro V1 Model	AC 0000265	AC 000266	26	R, P, H	
742		Titleist Presentation: Technology and Tradition - Preserving the Balance	CW 0383194	CW 0383949	1275	R, P, H	
743	00/00/2007	Presentation - www.titleist.com/technology/	CW 0383914	CW 0383949	624	R, P, H, I	
744		Presentation on 2002 - 2003 Golf Ball Market	AC 0020562.UR	AC 0020606.UR	112		
745		Callaway Golf 2002 Market Research	CW 0009117	CW 0009148	415	R, P, H	
746		Callway Golf 2005 Marketing Overview	CW 0218350	CW 0218376	1532	R, P, H	
747	10/20/04	Memorandum Woock to White re Pro Tiur Player Usage in CG Marketing	CW 0218558	CW 0218561	481	R, P, H	
748	03/22/1999	1999-2000 Callaway Golf Ball Company Marketing Communications Plan,	CW 0218774	CW 0218855	482	R, P, H	
749	3/22/1999	1999-2000 Callaway Golf Marketing Communications Plan	CW 0218774	CW 0218855	1531	R, P, H	
750		Titleist Market Performance Power Point Presentation	CW 0503446	CW 0503884	1276	R, P, H	
751		Spalding and Evenflo Market Research	CW 0516389	CW 0516390	639	R, P, H	
752		Spalding and Evenflo Market Research	CW 0516396	CW 0516398	640	R, P, H	
753		Appendix A Kerr Expert Report - William O. Kerr CV			1323	H	
754		Appendix B Kerr Expert Report - Materials Reviewed			1324	H	
755		Appendix C Kerr Expert Report - Pro V1 Inner Cover Layer Formulation Costs (based on 2001 business plan)			1325	H	
756		Appendix C Kerr Expert Report - Y2001 Raw Material Standard Cost October 31, 2000			1326	H	
757		Exhibit 1 Kerr Expert Report - Summary of Golf related Agreements and Negotiations Between Competitors			1343	H	
758		Exhibit 10 Kerr Expert Report - Sensitivity of Lost Profit Calculation to Various Price Criteria - 2004			1344	H	
759		Exhibit 11 Kerr Expert Report - Sensitivity of Lost Profit Calculation to Selection of Competing Balls - 2004			1345	H	
760		Exhibit 12 Kerr Expert Report - Percentage of Golf Ball Sales by Channel and Mr. Napper's Estimation of			1346	H	

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		Share					
761		Exhibit 4 Kerr Expert Report - Golfer Satisfaction Ratings and Prices by Ball Model 1999			1348	H	
762		Exhibit 5 Kerr Expert Report - Macfli A10 Prices and Units Sold by Channel and Quarter 2003			1349	H	
763		Exhibit 6 Kerr Expert Report - Golf Ball Models "in" and "out" of Mr. Napper's Relevant Market			1350	H	
764		Exhibit 7 Kerr Expert Report - List of Golf Ball Models in Napper's Relevant Market and Additional Competing Ball Models			1351	H	
765		Exhibit 8 Kerr Expert Report - Unit Share of Pro V1 and Selected Comperting Golf Balls On and Off Course 2000-2001			1352	H	
766		Exhibit 9 Kerr Expert Report - Correction of Mr. Napper's Treatment of NXT Balls, 2004			1353	H	
767		Callaway Golf Ball Statement of Operations	CW 0367328	CW 0367328	1514	R, P, H	
768		Callaway Financial Documents	CW 0382307	CW 0382323	1589	R, P, H	
769		Callaway Financial Documents	CW 0382325	CW 0382367	1588	R, P, H	
770		Callaway Financial Documents	CW 0382412	CW 0382454	1590	R, P, H	
771		Callaway Financial Documents	CW 0382455	CW 0382461	1586	R, P, H	
772		Callaway Financial Documents	CW 0382662	CW 0382669	1587	R, P, H	
773		Callaway 1999 Annual Report	CW 0168355	CW 0168406	1527	R, P, H	
774		Economics (7th ed.) Glossary of Terms - Cross Elasticity of Demand & Price Elasticity of Demand (D.I. 30 Ex. 5)			936	R, P, H, A	
775	07/13/2007	Expert Report of Kerr			953	H	
776	08/23/2007	Exhibit 3 Kerr Expert Report - Golf Ball Model Satisfaction Rating and Priced by Handicap 1999			823	R, P, H, NP	
777	03/00/2001	Exhibit 2 Kerr Expert Report - Units Sold and Share of Golf Balls Priced Greater than or Equal to \$30			1347	H	
778		Calculating Intellectual Property Damages, Richard Troxel and Kerr, Thomson-West, 2006			839	R, P, H, NP	
779	03/00/1991	Agreement between Bridgestone, Titleist & Footjoy	AB 0085420	AB 0085428	14	R, P, H	
780	06/30/2000	License Agreement between Acushnet and Dunlop	AB 0090062	AB 0090093	15		

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781	00/00/96	Settlement Agreement bewteen Spalding, Lisco & Acushnet; Ex. R and S to Callaway Mediation Brief;	AC 0014584	AC 0014615	68	408, R, P, H	
782	10/06/1989	Agreement Between Acushnet & Polara Parties	AC 0045574	AC 0045588	189		
783	9//4/1990	Agreement Between Acushnet & American Ball	AC 0045589	AC 0045591	190	R, P, H	
784	07/13/2007	Agreement Titleist & Footjoy	AC 0045592	AC 0045594	191	R, P, H	
785	01/01/1999	License Agreement Bewteen Acushnet and Callaway	AC 0045596	AC 0045602	192		
786	04/04/2001	Agreement between Callaway and Acushnet	AC 0100118	AC 0100139	347	R, P, H, 408, MIL	
787		1996 Settlement Agreement	AC 0128371	AC 0128406	386	R, P, H, 408	
788	00/00/1996	Ex. A to Callaways Opposition Motion to Stay 1996 Agreement	AC 0129509	AC 0129554	387	R, P, H	
789	11/01/1999	Employment Agreement between Michael Sullivan and Acushnet	AC0099638	AC 0099651	1254		
790	11/15/1990	Settlement Agreement between Spalding & Evenflo Companies, Inc. and Acushnet Company	CW 0273914	CW 0273940	494	408, R, P, H	
791	00/00/1996	Settlement Agreement between Spalding & Evenflo Companies, Inc. and Lisco, Inc. and Acushnet Company	CW 0273951	CW 0273970	495	408, R, P, H	
792	08/30/1996	Settlement Agreement between Spalding, Lisco, and Dunlop	CW 0273988	CW 0273997	496	408, R, P, H	
793	06/30/2003	Asset Purchase Agreement between Top-Flite Golf Company and Spalding Sports Worldwide, Inc.	CW 0274695	CW 0274763	523		
794	09/21/01	Settlement and License Agreement between Bridgestone Sports Company and Callaway Golf Company	CW 0307736	CW 0307767	575	408, R, P, H	
795	06/20/2002	Collaboration License and Option Agreement	CW 0325513	CW 0325524	599	408, R, P, H, MIL	
796	09/01/99	Patent License Agreement between Orlimar Golf Equipment Company and Callaway Golf Company	CW 0366829	CW 0366836	607	408, R, P, H	
797		Nesbitt Consulting Agreement	CW 0366856	CW 0366864	608	R, P, H	
798	09/15/03	Patent License Agreement between Callaway Golf Company and The Top-Flite Golf company	CW 0367304	CW 0367307	612		
799	07/31/96	Settlement Agreement between Spalding & Evenflo Companies, Inc. and Lisco, Inc. and Acushnet	CW 0615266	CW 0615302	679	408, R, P, H	

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		Company					
800	01/01/99	License Agreement between Acushnet Company and Callaway Golf Ball Company	CW 1864026	CW 1864032	739	408, R, P, H, MIL	
801	06/01/94	Patent Sublicense Agreement between Roger Cleveland Golf Company and Callaway Golf Company	CW 1898172	CW 1898192	749	R, P, H, 408	
802	04/17/2003	Press Release, "Russell and Spalding Announce Purchase Agreement for Spalding's Sporting Goods Business", Kohlberg Kravis Roberts & Co. website (www.kkr.com)			815	R, P, H, NP	
803		D&B Business Information Report: Callaway Golf Company (McCracken Ex. 1)			886	NP	
804	04/30/2007	Plaintiff Callaway Golf Company's Supplemental Responses to Defendant Acushnet's First Set of Interrogatories [No. 5,6,7, and 12]			1057	R, P, H, MIL	
805	10/09/2007	Plaintiff Callaway Golf Company's Second Supplemental Initial Disclosures			1165	?	
806	10/09/2007	Plaintiff Callaway Golf Company's Supplemental Responses to Defendant Acushnet's First Set of Interrogatories [No. 14]			1166	R, P	
807		Acushnet's Second Set of Requests for the Production of Documents and Things to Plaintiff [Nos. 164-180]			1322	R	
808		Plaintiff Callaway Golf Company's First Supplemental Initial Disclosures			1362	R, H, P	
809		Plaintiff Callaway Golf Company's Initial Disclosures			1363	R, H, P	
810		Plaintiff Callaway Golf Company's Response to Defendant Acusnet Company's First Set of Requests for Admissions [Nos. 1- 34]			1364		
811		Plaintiff Callaway Golf Company's Second Supplemental Initial Disclosures			1365	?	
812		Cross Beta Query Surlyn 7940	AC 0013175	AC 0013175	64		
813	08/25/2005	Incoming Raw Material Quality Assurance Testing Record	AC 0013618	AC 0013624	65		
814	10/02/00	Email Morgan to Distribution re V-1 Cut/Sheer	AC 0020457.UR	AC 0020459.UR	108		
815		Improved Titleist Pro V1 Product and Introduction Plans	AC 0023546.UR	AC 0023556.UR	1209	R, P, H	

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816		Improved Titleist Pro VI Product & Introduction Plans	AC 0023546.UR	AC 0023556.UR	1556	R, P, H	
817	01/00/2003	Titleist Pro V1 and ProV1x Pricing Consideration	AC 0023593.UR	AC 0023595.UR	122	I	
818		Competitive Analysis	AC 0023940.UR	AC 0024080.UR	128	R, P, H	
819	08/00/00	Presentation: Tour Distance SF and the Next Generation Product	AC 00283332.UR	AC 0028358.UR	136		
820	02/24/03	Email Morgan to Broome re HX comparisons	AC 0028891.UR	AC 0028895.UR	141		
821	10/04/96	Golf Ball New Product Team Meeting	AC 0029069.UR	AC 0029079.UR	143		
822		(1) Operating Procedure for Durometer Hardness Measurements; (2) Catalog Ad for Duro Automatic Operating Stand Model 902 & 2000; (3) DuroTronic Model 2000 Operating Manual; (4) Shore Durometer Technical Information Selection Guide; (5) Standard Test Method for Rubber Property - Durometer Hardness	AC 0029337	AC 0029356	146	M, H, R, P	
823	04/19/2002	Emails re: Product Development	AC 0029852.UR	AC 0029864.UR	147	R, P, H	
824	04/22/2002	Emails re: Product Development	AC 0030580	AC 0030584	148		
825	02/14/2001	E-mail to J. Steinbred from Sine re Pro V1,	AC 0036670	AC 0036671	159		
826	05/16/2007	Titleist Draft Memo re Layered Cover Product Strategy Considerations from George Sine	AC 0040388	AC 0040392	1507	R, P, H	
827	06/20/06	Letter to Bill Morgan and Jeff Dalton from E. Herbert re Layered Ball Testing with Brad Faxon	AC 0040398	AC 0040400	166		
828	08/08/1996	Titleist and Foot-Joy Worlwide inter-Office Correspondence re Golf ball New Product Team Meeting	AC 0040420.UR	AC 0040428.UR	1505	R, P, H	
829	09/09/06	Memorandum Boehm to Allen, Bellis, Brissette, Dalton, Dubiel, Longfritz, Morga, Sine, Uihlein re Golf Ball New Product Team Meeting - September 6, 1997	AC 0040429	AC 0040435	171		
830	04/28/95	Memorandum Harris to Wu re Golf Ball Construction Effects on Physical Properties	AC 0040820	AC 0040822	177	R, P, H	
831		Comparative Testing Docs ; Construction Types	AC 0048669	AC 0048685	1212		
832		2003 Competitive Ball Review	AC 0048950	AC 0049005	1214	R, P, H	
833		2005 Competitive Ball Report	AC 0049052	AC 0049120	1215		
834		1990 Competitive Ball Report	AC 0049577	AC 0049988	1216	R, P, H	
835		Shore D Testing Titleist Pro V1x 332	AC 0059965	AC 0059968	306		
836	07/29/04	Golf Ball Survey Results	AC 0064957	AC 0064962	311		

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837		Letter to John Jepson from Steve Aoyama re a Game-Improvement Golf Ball	AC 0078432	AC 0078436	325		
838	10/20/97	Chris Cavallaro Research notebook	AC 0093075	AC 0093078	336	R, P, H	
839		Michael Sullivan personal records	AC 0099657	AC 0099679	1225	R, P, H	
840	10/15/1999	Letter to Michael Sullivan from Herbert Boehm re employment with titleist	AC 0099721	AC 0099724	1226		
841	03/04/07	Letter (with attachments) Bugbee to Lester U.S. Patent Nos. 6,210,293 and 6,213,894/Titleist Pro V1	AC 0100092	AC 0100104	345	R, P, H, 408, MIL	
842		The Relationship Between Golf Ball Construction and Performance	AC 0100916	AC 0100921	348	R, P, H	
843		History and Construction of non wound golf balls	AC 0100929	AC 0100936	349	R, P, H	
844	04/19/2002	Emails re Product Developement	AC 0100962	AC 0100974	350	R, P, H	
845		Titleist "A Passion for Excellence" (video)	AC 0101025	AC 0101025	1229	R, P, H	
846		Pro V1 Product Brief	AC 0101050.UR	AC 0101072.UR	352		
847		Sidestamp-Pro V1 392	AC 0101051.UR	AC 0101051.UR	353		
848	09/15/2001	E-mail to Bill Morgan, Megan Morgan, Fordie Pitts, Wally Uihlein, Young, Mac Fritz, Herb Boehm, Steve Mata, Bob Vokey, Mike Chisum, Ed Hebert, Chris Cavallaro, Ryan Bosanko, Jeff Dalton, Mike Jordan from Jack Drumm re PGA Tour Player observations from St. Louis - September 10, 11, 12, 2001	AC 0101505.UR	AC 0101509.UR	1196	R, P, H	
849	01/00/2002	January 2002 Kick-Off Meeting	AC 0102961.UR	AC 0103176.UR	359	R, P, H	
850		Wilson Sporting Goods Advertisement	AC 0103061.UR	AC 0103063.UR	360	R, P, H	
851	01/29/2003	Email to Balls- NGF Industry Shipment Summary	AC 0110084.UR	AC 0110091.UR	1498	R, P, H	
852	09/03/2004	Titleist NXT Campaign Study Presentation of Findings by arnoldworldwide	AC 0110571	AC 0110607	1497	R, P, H	
853		Titleist Custom Golf Balls	AC 0116312	AC 0116395	1565	R, P, H	
854		Presentation: New Titleist Pro V1 and ProV1x by Bill Morgan	AC 0116445	AC 01164550	1230		
855		Acushnet Company Freedom-to Operate O[pinion Pro V Dual Core	AC 0120492	AC 0120496	382		
856		Photographs of '510 Family History	AC 0127803	AC 0127807	1601	R, P, H, A	
857		Photographs of Shore C & Shore D Durometer	AC 0128108	AC 0128109	385	A, R, P	
858		Article titled, Methods for Developing New Polymers For Golf Ball Covers	AC 0130722	AC 0130726	824		

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859		Article titled, Surlyn Ionomers For Golf Ball Covers	AC 0131200	AC 01312007	825		
860		Robert J. Statz, "Commercial Uses of Ionomers," Polymer Preprints, Sept. 1988, and others;	AC 0131372	AC 0131377	1075	R, P, H	
861		COMPASS Readings, July 1991	AC 0131379	AC 0131379+	876	R, P, H	
862		Elastomers Notebook No. 149	AC 0131380	AC 0131395	937	R, P, H	
863		William E. Morgan 1997 Objectives/Accomplishments	AC 0131441	AC 0131446	1239	R, P, H	
864	05/04/2007	Callaway Prior Art Testing: Attorney work Product	AC 0131443	AC 0131446	1464	R, P, H	
865		Y2001 Raw Materials Standard Costs	AC 0131492	AC 0131492	1242	R, P, H	
866	05/00/2006	ConsumerReports.org Golf Ball Ratings: Charts and Commentaries	AC 0131504	AC 0131511	977	R, P, H	
867	08/25/00	Callaway Golf Ball Manufacturing Specification	CW 0002249	CW 0002251	406		
868		Article <i>Inside look: Titleist Big Makeover</i>	CW 0009057	CW 0009057	414		
869		HX & CTU Competitors	CW 001154381	CW 001154394	1555	R, P, H	
870	07/05/01	Callaway Golf Company Golf Ball Manufacturing Capacity	CW 0016373	CW 0016373	425	R, P, H	
871	5/28/2003	The Top Flite Company Presentation	CW 001850926	CW 001850988	1559	R, P, H	
872	08/04/00	Meeting minutes Use of CGC Resources for CGBC Process Development	CW 0027764	CW 0027765	426	R, P, H	
873	02/10/06	Article: Callaway Takes Big Swing at Acushnet	CW 0028050	CW 0028051	428	R, P, H	
874		Wai Lab Notebook	CW 0031908	CW 0032069	1489	R, P, H	
875		Research Notebook	CW 0032248	CW 0032411	429		
876		Appendix III The Ball	CW 0055452	AC 0055452	430		
877	10/27/99	Project Status Report	CW 0056295	CW 0056297	431	R, P, H	
878	2/28/0000	Nike Golf Announces 2000 European PGA Tour Staff	CW 0064388	CW 0064389	435	R, P, H	
879		Callaway Testing Pro V1 per 33 (d)	CW 0065320	CW 0065330	1264	R, P, H	
880		Callaway Testing Pro V1 per 33 (d)	CW 0068563	CW 0068563	1265	R, P, H	
881	12/12/97	Email Bryan to SteveO re Perception - Reply	CW 0075431	CW 0075431	436	R, P, H	
882		Presentation Consumer Research	CW 0075721	CW 0075733	438	R, P, H	
883		ASTM D 2240-97	CW 0076799	CW 0076802	439	R, P, H	
884	10/22/99	Callaway Golf Ball Company Testing Team Meeting Agenda	CW 0078128	CW 0078135	443	R, P, H	
885	08/26/99	Minutes: Callaway Golf Ball Company Testing Team Meeting	CW 0078192	CW 0078194	444	R, P, H	
886		CB-3 design Rationale	CW 0078770	CW 0078771	445		
887	00/00/2000	R&D Design and Planning Meetings 2000	CW 0079410	CW 0079712	1266	R, P, H	

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DX NO.	Date	Document Description	Begin Bates	End Bates	Control Number	Objection	Admitted
888		R & D Design & Planning Meetings - 2000	CW 0079573	CW 0079691	1558	R, P, H	
889		Callaway Testing Pro V1 per 33 (d)	CW 0125880	CW 0125881	1267		
890	10/24/00	Email Yagley to Bartels, Goodman, Catania, Pij	CW 0125934	CW 0125935	458		
891	03/17/99	Minutes: Callaway Golf Ball Company R&D Staff & Team Leader Meeting	CW 0148602	CW 0148602	461	R, P, H	
892	08/02/01	Email Dewanjee to Bartels, Goodman, Parker, Mike	CW 0165436	CW 0165436	462	R, P, H	
893	00/00/00	The Callaway Connection Issue No. 30; The Callaway Golf Family Proudly Welcomes Arnold Palmer	CW 0168225	CW 0168243	463		
894		Callaway Golf Ball Company Aims	CW 0172303	CW 01872311	1526	R, P, H	
895		Competitive Ball Technical Profile	CW 0173769	CW 0173770	466	R, P, H	
896	03/26/01	Firm Cover - Preliminary Specification Meeting Minutes	CW 0174029	CW 0174030	467	R, P, H	
897	03/01/01	LF 930 Development Meeting	CW 0174040	CW 0174041	468	R, P, H	
898	10/17/00	U.S. Patent 6,132,324	CW 0179321	CW 0179331	469		
899		DOE Status for CB-3	CW 0187308	CW 0187310	1525	R, P, H	
900		The Language of Golf Balls - A Quick Test!	CW 0187464	CW 0187476	1524	R, P, H	
901	12/5/2001	Comparison of Physical Properties of Pro V1, Pro V1 Diamond, Pro V1 Star and CTU 30 Red	CW 0193425	CW 0193425	1523	R, P, H	
902		Callaway Golf CTU-30 Golf Ball	CW 0197853	CW 0197854	472		
903	9/17/01	Callaway Golf Ball Manufacturing Specification	CW 0208978	CW 0208981	473	R, P, H	
904		Callaway Golf HX Golf Ball - The Next Generation of Aerodynamics	CW 0212790	CW 0212791	1534	R, P, H	
905	12/15/04	Presentation Callaway Golf	CW 0218378	CW 0218446	480	R, P, H	
906	11/02/04	Physicals for HX and HX TPU Balls	CW 0223002	CW 0223002	483		
907	12/01/05	Golf Equipment Testing Past, Present and Future	CW 0253217	CW 0253225	490		
908		Personnel Records Michael Sullivan	CW 0253246	CW 0253285	491		
909		Callaway Golf - Launch Business Plan	CW 0255825	CW 0255868	1530	R, P, H	
910	12/15/05	Callaway Golf Company Organizational Charts	CW 0273796	CW 0273797	493	R, P, H	
911	06/01/1993	Multilayer Patents and Applications Which Claim Priority Back To June 1, 1993	CW 0274104	CW 0274108	1485	R, P, H	
912		Schedule 1.1(b) -- Assumed Contracts	CW 0274861	CW 0274866	1595	R, P, H	
913		The Relationship between Golf Ball Construction and Performance	CW 0317527	CW 0317532	582		
914	12/16/2003	Supplemental Declaration of E. Morgan Under 37 CFR 1.131 with Ex.s	CW 0320898	CW 0320920	585	R, P, H, MIL	

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915		Invention Record	CW 0320903	CW 0320909	586		
916		Email Hebert to Cavallaro, Dalton, Morgan, Perry	CW 0320910	CW 0320911	587		
917		File History 5,803,831	CW 0323696	CW 0323796	964	MIL	
918	07/22/1997	Declaration of Mark Binette in Support of Patent Application for 5,808,831	CW 0323729	CW 0323733	588	R, P, H, MIL	
919	01/23/07	Handwritten Notes	CW 0329373	CW 0329379	602	R, P, H, A	
920	10/19/04	Handwritten Notes	CW 0329380	CW 0329383	603	R, P, H, A	
921	02/00/99	Spalding Custom Golf Balls	CW 0500583	CW 0500629	625	R, P, H	
922	02/26/1999	Spalding Pro Tour Strategy	CW 0500779	CW 0500811	626		
923	11/18/96	Handwritten Notes re P-1687 3 Piece Top-Flite Golf Ball; Charts re Lab notebooks	CW 0507579	CW 0507579	633	R, P, H	
924		Properties of Surlyn Ionomer Resins	CW 0512231	CW 0512231	637	R, P, H	
925		Spalding Research Department Organizational Chart	CW 0512740	CW 0512740	638	R, P, H	
926		Callaway Golf Company Organizational Charts	CW 0516403	CW 0516403	641	R, P, H	
927	09/26/95	Memorandum Binette to Sullivan re Castable PU Covered Multi-Layer Balls	CW 0522440	CW 0522441	643		
928	11/13/95	Memorandum Tavares to Sullivan re Spin Measurements of Multi-layer Golf Balls Using ENCORE's Spin Detector Instrument	CW 0522573	CW 0522581	644	R, P, H	
929		Specs for Hogan Apex Tour	CW 0522648	CW 0522687	645	R, P, H	
930	06/24/99	Memorandum Binette to Kennedy, Sullivan re Multi-Layer Balls with No Interlayer Adhesion (Mold Release on Mantle)	CW 0522939	CW 0522939	646	R, P, H	
931	07/01/04	Presentation Top-Flite Authenticate or Die	CW 0523929	CW 0523953	647	R, P, H	
932		American Golfer Survey The Ball Report Initial Results Based	CW 0531331	CW 0531374	650	R, P, H	
933	09/13/01	Emqail Kennedy to Cragie re testing for Hal Sutton	CW 0534411	CW 0534411	657		
934	06/00/01	Excerpt Maximum Golf	CW 0537857	CW 0537860	658	R, P, H	
935		Handwritten Notes	CW 0555285	CW 0555286	661		
936	03/25/03	Assessing Strategic Options for Spalding	CW 0595802	CW 0595867	662		
937		Spalding Timeline	CW 0599382	CW 0599383	664	R, P, H	
938	04/21/97	memorandum Whitworth to Distribution re WSI Article on "Competitive Advantage"	CW 0599384	CW 0599385	665	R, P, H	
939	03/27/98	Presentation Spalding Sports Worldwide Special Intelligence Briefing Competitor Profile for Titleist and	CW 0599403	CW 0599477	666	R, P, H	

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		footjoy Worldwide					
940		127 Years of Excellence and Innovation	CW 0610225	CW 0610225	668		
941	03/21/1991	Mike Sullivan Lab Notebook	CW 0611726	CW 0611821	670		
942	06/19/02	Memorandum Tzivannis to Godbout, Hanna re Hogan Apex Tour Golf Ball Transmittal	CW 0614771	CW 0614798	675	R, P, H	
943	07/29/1996	Article "The Bell of Golf Balls"	CW 0615108	CW 0615108	677		
944	05/02/1996	Article " Top-Flite Will Sell Multi Layer Golf Ball"	CW 0615118	CW 0615118	678		
945	03/27/01	Email Kennedy to Craigie re Pro V1 Testing	CW 0616102	CW 0616102	705	R, P, H	
946		Presentation The Golf Ball Business	CW 1072879	CW 1072911	706		
947		Current Golf Ball Business Structure	CW 1135813	CW 1135815	707	R, P, H	
948		Charts: Analysis: 2002 Golf Balls Actual vs. Budget	CW 1136853	CW 1137018	708		
949		Charts re Chronological Buildup of Titleist Pro V1 unit share and Callaway 3 Piece Unit Share	CW 1141029	CW 1141034	710		
950		Ball Dollar Share, Price Point Opportunity	CW 1144539	CW 1144562	711		
951	02/00/04	Callaway Golf Strategic Plan	CW 1146560	CW 1146572	713	R, P, H	
952		Presentation Callaway Golf Balls	CW 1152203	CW 1152255	714		
953	01/10/2003	2004 Golf Ball Subsidiary Meeting	CW 1153535	CW 1153541	715	R, P, H	
954	07/29/03	2004 Estimated US Wholesale Pricing	CW 1155421	CW 1155421	716	R, P, H	
955		Memorandum re Warbird Background for Promotion Creation	CW 1161592	CW 1161593	717	R, P, H	
956	07/00/03	Callaway Golf Ball Intercepts Research	CW 1162508	CW 1162557	718	R, P, H	
957	06/30/2003	Email to Callway Golf Worldwide from Ron Drapeau re Golf Ball Plans	CW 1166342	CW 1166342	719	R, P, H	
958		Callaway Golf Records management Policy and Procedures	CW 1201559	CW 1201578	720	R, P, H	
959		Presentation Callaway Golf Ball Company R&D	CW 1649189	CW 1649221	722		
960		Top-Flite Product Line	CW 1654332	CW 1654351	723	R, P, H	
961	05/10/005	2005 + Pro Tour Strategy Thoughts and Ideas	CW 1687537	CW 1687541	724	R, P, H	
962		2007 Rough Cut Capacity	CW 1741132	CW 1741133	726	R, P, H	
963	07/25/00	Article: Bridgestone Accuses Callaway of Impinging Golf Ball Patents	CW 1830260	CW 1830260	728	R, P, H	
964		Callaway Golf Company 2000 Annual Report	CW 1830282	CW 1830306	729	R, P, H	
965	07/05/01	Memorandum Kennedy to Craigie re New Product Update	CW 1850789	CW 1850791	734		

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DX NO.	Date	Document Description	Begin Bates	End Bates	Control Number	Objection	Admitted
966	11/27/01	Memorandum Kennedy to Craigie re New Product Update	CW 1850858	CW 1850560	736	R, P, H	
967	10/13/98	Memorandum Tzivanis to Ricci, Gajewski, Zawaski, Skirkanich, Peter	CW 1851452	CW 1851452	738	R, P, H	
968		Callaway 10-K Form for Fiscal Year 2000	CW 1863868	CW 1863896	1285	R, P, H	
969	05/23/01	Callaway Golf Company Final Report of Findings Golf Ball Exploratory	CW 1867989	CW 1868024	742	R, P, H	
970	08/26/03	Memorandum Tyagley to GBPG re Golf ball Product Group Meeting Minutes/Action Items	CW 1882842	CW 1882844	744		
971	02/10/2004	Golf Ball Product Group Meeting Minutes	CW 1892596	CW 1892600	746	R, P, H	
972	03/21/1991	Spalding Mike Sullivan Lab Notebook	CW 611726	CW 611821	750		
973	01/31/2003	Callaway Golf Electronic Research Report	MCK-CAL-0000839	MCK-CAL-0000843	1594	R, P, H	
974	02/18/2003	Spalding Board Meeting	MCK-CAL-0001477	MCK-CAL-0001572	1592	R, P, H	
975	12/09/2002	Callaway Golf Inc. Peer Perform	MCK-CAL-0001927	MCK-CAL-0001934	1593	R, P, H	
976	11/01/2002	BE Hogan Golf Signs Colin Montgomery to Multi Year Contract; Ryder Cup Sensation Excited about Ben Hogan Endorsement and Products (Acushnet's Comments re Office Actions Ex. W)			836	R, P, H, NP	
977	07/01/2003	Article - David Barboza, "Callaway to Buy Top Flite", NYTimes.com, 07/01/2003;			816	R, P, H, NP	
978	09/01/2003	Robert Barker, "Why is Callaway Chasing golf Balls?", BusniessWeek.com, 09/01/2003			819	R, P, H, NP	
979	10/21/2003	U.S. Patent 6,634,964			338	NP, R, P	
980	02/01/2005	U.S. Patent 6,849,006			339	NP, R, P	
981	06/14/2005	U.S. Patent 6,905,648			1156	NP	
982	08/18/2006	Callaway Response to Acushnet 1st Set of RFPs (Nos. 1-163)			862	R, P, H, NP	
983	08/18/2006	Callaway's Response to Acushnet's 1st Set of Interrogatories (Nos. 1-15)			873	R, P, H, NP	
984	12/18/2006	Callaway Supplemental Responses to Acushnet 1st Set of Interrogatories 1-2 and 10			864	R, P, H, NP	

DX NO.	Date	Document Description	Begin Bates	End Bates	Control Number	Objection	Admitted
985	01/17/2007	Callaway's Supplemental Response to Acushnet's First Set Interrogatories (Nos. 3 and 7)			874	R, P, H, NP	
986	04/30/07	Callaway Golf Company's Objections to Acushnet Company's Notice of Dep. Pursuant to Fed R. Civ.P. 30(b)(6)			851	R, P, H, NP	
987	06/01/2007	CV of J. MacKnight			885	R, P, H	
988	08/07/2007	Declaration of Statz in support of Acushnet's Motion for Summary Judgment of Invalidity (Acushnet's Opening SJ Motion Ex. 23)			918	R, P, H, MIL	
989	10/31/2007	Letter to Denning from Rosenthal re Callaway's Interrogatory Responses regarding the Rule 35 Firmfeel Golf Ball			1552	R, P, H, NP	
990		Callaway's Form 10K for the year ending 1998			1616	R, P, H, NP	

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Exhibit 7

Callaway Golf Company v. Acushnet Company**Exhibit 7****Callaway Golf's Witness List**

Callaway Golf Company ("Callaway Golf") anticipates calling the following witnesses at trial. Callaway Golf further anticipates that the witnesses will testify live except where otherwise indicated. Callaway Golf reserves the right to call anyone appearing on Acushnet Company's witness list, and reserves the right to amend its answering/rebuttal witness list in view of events at trial.

Witness	Live/ Depo
Arturi, Peter	Live
Bellis, Jerry	Depo
Boehm, Herbert	Depo
Bohn, Mary Louise	Depo
Bulpett, David	Depo
Burke, William	Depo
Cavallaro, Christopher	Depo
Dalton, Jeffrey L.	Depo
Hebert, Edmund	Depo
Kennedy, Thomas	Live
Lester, Troy	Depo
McCracken, Steve	Live
Mickelson, Phil	Live
Napper, Brian	Live
Nauman, Joseph	Live
Norman, Greg	Live
Rider, Michael	Live
Risen, William	Live
Sine, George	Depo
Snell, Dean	Depo
Sullivan, Michael	Live/Depo
Wilkes, Garth	Live
Wu, Shenshen	Depo
Yagley, Michael	Live
Young, William J.	Depo

Exhibit 8

EXHIBIT 8**CALLAWAY GOLF'S DEPOSITION DESIGNATIONS**

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECTION
05/03/07	Boehm, Herbert	4:2-8	Callaway		5:13-18	Acushnet	
		7:8-14	Callaway	106			
		7:21-25	Callaway	106	8:1-5	Acushnet	
		8:17-20	Callaway	106			
		9:7-16	Callaway				
		10:8-11:14	Callaway	402; 403			
		12:8-25	Callaway	106	13:1-22	Acushnet	
		13:23-14:14	Callaway	F; L; 106; 402; 403; 602	14:15-15:3; 16:8-17:15	Acushnet	
		17:23-18:7	Callaway	106; 402; 403	18:8-19:21	Acushnet	
		21:14-16	Callaway				
		22:22-24:12	Callaway	F; 402; 403; 602			
		24:13-27:1	Callaway	105; 106	27:12-28:1	Acushnet	
		27:2-11	Callaway	105; 106; 402; 403			
		29:2-11	Callaway	105; 106	29:12-30:5	Acushnet	
		30:6-33:6	Callaway	105; 106	33:7-23	Acushnet	
		36:12-37:18	Callaway	F; 106; 402; 403; 602; multiple docs. in same exhibit	37:19-22; 38:6-22	Acushnet	
		39:8-20	Callaway	F; 106; 402; 403; 602	39:21-24	Acushnet	
		39:25-40:16	Callaway	F; S; 402; 403			
		41:14-42:1	Callaway	F; S; 105; 106; 402; 403	41:2-13; 45:19-46:9	Acushnet	
		48:19-49:12	Callaway	F; 106; 402; 403; 602; multiple docs. in same exhibit	49:13-20	Acushnet	
		49:23-50:8	Callaway	106; 402; 403	50:9-14	Acushnet	
		50:16-51:13	Callaway	106; 402; 403	52:3-54:6	Acushnet	
		54:24-57:13	Callaway	F; 106; 402; 403; multiple docs. in same exhibit	57:14-17	Acushnet	
		58:5-16	Callaway	F; 106; 402; 403; 602			
		59:25-61:23	Callaway	F; incomplete exhibit; 105; 106; 402; 602; 802			
		63:30-65:4	Callaway	F; S; 106; 402; 403; 602; 802;	61:24-63:2; 65:5-11	Acushnet	

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECTION
				1002			
		65:12-21	Callaway	F; S; 106; 602; 802; 1002			
		66:4-19	Callaway	F; 106; 402; 403; 602; 802			
		67:14-24	Callaway	F; 106; 402; 403; 602; 802	67:25-68:9	Acushnet	
		68:10-69:15	Callaway	402; 403; argumentative			
		71:15-72:9	Callaway	106; 402; 403; 802	69:16-70:18; 72:19-21; 86:8-24; 87:3-15	Acushnet	
		72:22-25	Callaway	F; 106; 402; 403; 602; 1002	73:1-3	Acushnet	
		73:11-74:13	Callaway	F; 106; 402; 403; 602; 1002			
		74:18-75:14	Callaway	106	75:15-23	Acushnet	
		75:24-76:7	Callaway	106	76:8-24; 77:8-24	Acushnet	
		78:12-22	Callaway	F; 402; 403			
		79:2-80:5	Callaway	F; 402; 403			
		80:8-22	Callaway	105; 402; 403			
		81:10-16	Callaway	105; 106; 402; 403	81:5-9	Acushnet	
		82:3-13	Callaway	105; 106; 402; 403			
		83:13-84:13	Callaway	105; 402; 403	84:14-21; 85:4-19	Acushnet	
04/26/07	Bohn, Mary Louise	6:9-10	Callaway	402			
		13:6-15	Callaway	402; 802; 1002			
		14:2-7	Callaway	106; 402; 802; 1002	14:8-14	Acushnet	
		15:8-16:22	Callaway	802; 106; 402; 1002	14:21-15:4	Acushnet	
		20:9-21:11	Callaway				
		22:1-2	Callaway				
		28:5-29:6	Callaway	402; 403			
		29:10-18	Callaway	402; 403			
		36:6-37:12	Callaway	Form			
		38:4-39:6	Callaway				
		41:18-42:24	Callaway	106	42:25-23:4	Acushnet	
		43:5-45:18	Callaway	106; 402; 403; 802			
		50:21-51:17	Callaway				
		52:24-53:3	Callaway				
		53:14-17	Callaway				
		54:3-6	Callaway	106; 402	54:10-15	Acushnet	
		54:16-24	Callaway	106; 402	56:8-17	Acushnet	
		58:19-59:9	Callaway	Form; 106	59:10-22; 60:14-61:3; 61:10-25; 62:11-16	Acushnet	

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECTION
		64:18-65:1	Callaway	106	64:6-17	Acushnet	
		68:5-73:18	Callaway				
		74:10-76:1	Callaway				
		77:9-78:18	Callaway	106; Form; 402; 403; 802; 1002	78:19-79:5	Acushnet	
		80:4-82:18	Callaway	106; Form			
		83:4-10	Callaway	106			
		83:20-84:4	Callaway	106; 402; 802	84:5-25; 85:18- 86:3	Acushnet	
		86:4-23	Callaway	106	86:24-37:16	Acushnet	
		87:17-88:14	Callaway	106; 1006; Form	88:15-86:3	Acushnet	
		90:1-7	Callaway	106	90:17-21		
		91:18-24	Callaway	402; 802			
		92:17-93:17	Callaway	402; 403; 802			
		94:2-23	Callaway	402; 403; 802			
		95:1-96:7	Callaway	106; 1006; Form	96:8-23	Acushnet	
		97:5-11	Callaway	See below	Subsumed in range below		
		96:24-109:12	Callaway	402; 403; 802; 1006; Form; S.F			
		110:9-111:19	Callaway	106; 402; 403; 802; Form	109:13-110:8	Acushnet	
		112:11-25	Callaway	106	113:1-22	Acushnet	
		114:18-116:6	Callaway	Form; 402; 403; 802			
		116:19-119:25	Callaway	402; 403; 802; F			
		120:11-129:12	Callaway	802; 402; 403; 608; S; F; Form; 1006			
		130:5-25	Callaway	402; 403; 802; 1002			
		131:13-133:2	Callaway	802; 608			
		133:6-139:18	Callaway	802; S; 403; 1002; 608; 402			
		140:6-143:25	Callaway	802; 402; 403; 106; 608	144:1-8	Acushnet	
		144:9-145:1	Callaway	106; 802; 402			
		146:19-147:1	Callaway	106; 402; 403	145:15-146:18	Acushnet	
		147:7-13	Callaway	106	147:2-6; 147:14- 148:8	Acushnet	
		151:1-21	Callaway	106; 802	151:22-24	Acushnet	
		153:5-154:1	Callaway	1002; 402; 403	155:3-157:18	Acushnet	
		160:17-161:2	Callaway	106	160:4-16	Acushnet	
		163:15-23	Callaway				
		166:7-174:11	Callaway	106; 802; 402;			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECTION
				403; Form; S; 1002; 608			
		175:19-176:12	Callaway	106	174:18-175:18; 176:22-177:5	Acushnet	
		181:16-182:21	Callaway	AC; 402; 403; 1002			
		189:2-16	Callaway	106	190:14-191:3; 192:6-193:5	Acushnet	
		193:9-19	Callaway	106	193:20-195:9	Acushnet	
		201:22-203:22	Callaway	106; S; L	201:14-21	Acushnet	
		208:22-209:19	Callaway	402; 403	204:24-205:20	Acushnet	
		211:19-212:9	Callaway	106	212:10-18	Acushnet	
		212:19-214:4	Callaway	106	214:16-215:24	Acushnet	
		216:6-217:14	Callaway	802; 106	217:17-22	Acushnet	
		222:4-12	Callaway				
		223:8-18	Callaway				
		224:23-227:10	Callaway	802			
		227:14-229:20	Callaway	802; 106	229:21-230:23	Acushnet	
					231:18-233:6; 233:14-21; 233:23-235:4; 235:8-18; 237:10-238:10	Acushnet	
		239:24-240:25	Callaway		241:6-23	Acushnet	
05/25/07	Bulpett, David	7:20-23	Callaway				
		37:17-38:12	Callaway	105; 402; 403			
		40:12-16	Callaway	105; 402; 403			
		41:6-43:9	Callaway	105; F; 402; 403; S			
		44:5-46:9	Callaway	105; F; 402; 403; S	46:10-18; 47:5-19	Acushnet	
		52:8-53:18	Callaway	105; 402; 403			
		56:15-58:10	Callaway	105; 106; 403; 702	54:12-25; 55:1-25; 56:1-14;	Acushnet	
		62:9-22	Callaway	402; 403; F			
		63:25-64:8	Callaway	402; 403; F	65:4-19	Acushnet	
		65:20-66:1	Callaway	402; 403; 702; F			
04/25/07	Burke, William	7:2-6	Callaway				
		8:1-21	Callaway				
		23:11-22	Callaway		24:9-22	Acushnet	
		32:4-33:2	Callaway	402			
		36:7-18	Callaway				
		37:9-38:5	Callaway				
		38:19-39:22	Callaway	Form			
		56:9-14	Callaway		41:2-43:4; 44:11-24	Acushnet	
		56:20-58:12	Callaway	402			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECTION
		59:14-60:16	Callaway				
		61:4-8	Callaway				
		61:16-62:6	Callaway				
		63:24-64:6	Callaway	Form			
		65:4-7	Callaway				
		65:15-21	Callaway	106	65:22-66:4	Acushnet	
		66:5-17	Callaway	106			
					72:1-13	Acushnet	
		72:23-25	Callaway	402			
		78:12-20	Callaway	106	78:21-79:6	Acushnet	
		79:7-14	Callaway	106			
		79:22-81:3	Callaway				
		81:9-21	Callaway				
		83:15-22	Callaway		83:23-84:9	Acushnet	
		84:15-25	Callaway				
		85:16-86:7	Callaway				
		87:2-88:3	Callaway				
		90:6-14	Callaway				
		91:3-92:18	Callaway				
		94:2-6	Callaway				
		95:17-96:9	Callaway				
		101:22-103:2	Callaway	106	101:3-21	Acushnet	
		106:25-109:5	Callaway				
		112:25-113:18	Callaway				
		114:11-115:10	Callaway	106	115:11-116:16	Acushnet	
		117:11-118:20	Callaway	402; 403			
		119:8-23	Callaway				
		120:3-9	Callaway				
		121:14-16	Callaway				
					123:14-124:1; 124:7-125:14	Acushnet	
		127:20-128:6	Callaway	106	125:25-127:19	Acushnet	
		129:23-130:6	Callaway	106; 402; 403	130:7-20	Acushnet	
		130:21-131:1	Callaway	106; 402; 403			
		131:11-18	Callaway				
		132:12-23	Callaway				
		134:24-135:8	Callaway	402			
		135:19-137:16	Callaway				
		139:16-140:8	Callaway				
		141:3-14	Callaway	106	141:15-21	Acushnet	
		146:2-147:25	Callaway	Form			
		148:24-149:16	Callaway		151:11-19	Acushnet	
		152:14-153:21	Callaway	106; 802; Form	153:22-154:1	Acushnet	
		156:1-6	Callaway		156:7-158:15	Acushnet	
		158:16-159:20	Callaway	106			
		161:13-162:17	Callaway				
		164:8-17	Callaway				
		167:12-168:12	Callaway				

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECTION
		168:21-169:14	Callaway				
		170:5-171:9	Callaway				
		173:13-15	Callaway				
		173:24-174:12	Callaway				
		175:14-176:15	Callaway				
		178:18-179:10	Callaway				
		180:18-181:2	Callaway	106	181:3-8	Acushnet	
		182:21-25	Callaway	106	182:12-20	Acushnet	
		183:13-186:4	Callaway	106	183:1-12	Acushnet	
		187:24-189:23	Callaway	106; form	189:24-190:5	Acushnet	
		190:6-22	Callaway	106			
		191:5-18	Callaway				
		193:9-17	Callaway				
		194:1-195:3	Callaway		200:21-201:4	Acushnet	
		203:16-19	Callaway		203:25-206:4	Acushnet	
		207:11-209:22	Callaway				
		210:3-211:1	Callaway	106	211:2-15	Acushnet	
		213:14-214:14	Callaway	106	214:15-22	Acushnet	
		215:4-16	Callaway				
		215:22-217:1	Callaway	106; 802	217:2-16	Acushnet	
		217:17-218:13	Callaway	106; 802	218:14-219:3	Acushnet	
		229:14-22	Callaway	106	229:23-230:6	Acushnet	
		232:9-18	Callaway				
		234:15-18	Callaway				
		235:25-236:7	Callaway	106	236:8-14	Acushnet	
		237:8-14	Callaway	402			
					238:17-22; 239:10-240:6	Acushnet	
		243:7-245:21	Callaway	Form; F			
		246:10-24	Callaway				
		247:14-248:2	Callaway				
		249:25-250:16	Callaway	106	250:17-22	Acushnet	
		250:23-251:4	Callaway	106			
		252:4-253:14	Callaway	106; 1006	251:22-251:3; 253:15-254:5	Acushnet	
		256:8-19	Callaway	Form			
		257:3-21	Callaway	Form			
		258:2-17	Callaway				
		260:4-261:4	Callaway				
		262:11-264:22	Callaway				
		266:11-20	Callaway				
04/18/07	Cavallaro, Christopher	6:11-13	Callaway				
		15:6-9	Callaway				
		15:12-22	Callaway				
		18:13-15	Callaway				
		22:21-23:19	Callaway	105; 402; 403			
		24:11-14	Callaway	402; 403			
		24:22-25	Callaway	402; 403			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECTION
		25:17-21	Callaway	Argumentative 105; 402; 403; vague	25:1-16;	Acushnet	
		25:25-26:16	Callaway	Argumentative 105; 402; 403; vague			
		26:19-21	Callaway	Argumentative 105; 402; 403; vague; F			
		26:23-27:16	Callaway	Argumentative 105; 402; 403; vague; F;			
		27:19-29:2	Callaway	Argumentative 105; 402; 403; vague; F; asked and answered;			
		29:12-23	Callaway	402; 403			
		30:11-18	Callaway	402; 403			
		30:21-23	Callaway	402; 403; form			
		32:8-34:19	Callaway				
		35:5-22	Callaway	105; 402; 403; vague			
		35:24-36:21	Callaway	105; 402; 403; vague			
		38:8-12	Callaway				
		40:3-9	Callaway				
		40:14-21	Callaway				
		40:23-41:2	Callaway	402; 403			
		41:23-42:7	Callaway				
		43:2-10	Callaway				
		44:4-45:3	Callaway				
		47:24-48:2	Callaway	105; 402; 403	45:19-25; 46:1-25; 47:1-6.	Acushnet	
		48:4-18	Callaway	105; 402; 403			
		48:21-49:3	Callaway				
		50:14-51:6	Callaway				
		52:9-23	Callaway				
		53:4-13	Callaway	Vague			
		53:17-20	Callaway	Vague			
		54:13-22	Callaway				
		55:19-22	Callaway				
		56:9-18	Callaway	105; 402; 403			
		56:20-57:6	Callaway	105; 402; 403; vague			
		57:9-13	Callaway	105; 402; 403; vague; F; S			
		57:15-58:6	Callaway	105; 402; 403; vague	58:7-23	Acushnet	

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECTION
		62:18-21	Callaway				
		63:1-4	Callaway				
		63:19-21	Callaway	402; 403			
		63:25-64:8	Callaway	402; 403			
		66:11-67:7	Callaway				
		67:11-21	Callaway				
		68:6-9	Callaway				
		71:5-73:18	Callaway	105; 402; 403			
		75:6-20	Callaway	105; 402; 403	78:4-7	Acushnet	
		81:21-82:13	Callaway	105; 402; 403			
		83:15-18	Callaway	105; 402; 403; misstates			
		83:23-84:3	Callaway	105; 402; 403; misstates			
		85:1-25	Callaway	105; 402; 403			
		86:11-18	Callaway				
		87:1-25	Callaway	105; 402; 403			
		93:4-5	Callaway	105; 402; 403; mischaracterizes; vague			
		93:8-11	Callaway	105; 402; 403; mischaracterizes; vague			
		93:16-21	Callaway	105; 402; 403; mischaracterizes; vague			
		98:11-19	Callaway	105; 402; 403	98:1-5	Acushnet	
		103:19-104:1	Callaway	105; 402; 403			
		104:15-105:20	Callaway	105; 402; 403			
		108:2-14	Callaway	105; 402; 403			
		108:24-109:8	Callaway	105; 402; 403			
		109:11-25	Callaway	105; 402; 403; mischaracterizes			
		110:25-111:8	Callaway	402; 403			
		111:12-21	Callaway	402; 403; asked and answered			
		111:23-112:8	Callaway	402; 403; vague			
		112:12-15	Callaway	402; 403; vague; mischaracterizes			
		112:17-113:1	Callaway	402; 403; vague			
		113:5	Callaway	402; 403 vague; F			
		113:12-16	Callaway	402; 403 vague; F;			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECTION
				misstates			
		113:20-114:1	Callaway	402; 403 vague; F; misstates			
		114:4-15	Callaway	402; 403; asked and answered			
		114:19-21	Callaway	402; 403; F; misstates; asked and answered			
		116:11-117:3	Callaway				
		120:4-10	Callaway	105; 402; 403	124:12-19; 160:16-25; 209:2-25; 210:1-16; 211:3-13; 211:16-22; 211:25; 212:1-4; 212:6-12	Acushnet	
		121:14-122:2	Callaway	105; 402; 403			
		122:6-16	Callaway	105; 402; 403; S			
		123:7-124:8	Callaway	105; 402; 403; S			
		124:11	Callaway	105; 402; 403; vague			
		125:25-127:25	Callaway	105; 402; 403; form			
		128:4-12	Callaway	105; 402; 403; form			
		130:13-131:3	Callaway	105; 402; 403			
		131:10-132:13	Callaway	105; 402; 403			
		132:18-133:9	Callaway	105; 402; 403	133:10-17	Acushnet	
		133:18-134:6	Callaway	105; 402; 403	134:7-135:8	Acushnet	
		135:13-20	Callaway	105; 402; 403 vague			
		135:22-136:5	Callaway	105; 402; 403; vague			
		136:7-24	Callaway	105; 402; 403; vague			
		140:25-141:7	Callaway	402; 403			
		142:3-15	Callaway	105; 402; 403			
		142:23-143:1	Callaway	105; 402; 403; F			
		143:4-8	Callaway	105; 402; 403; F			
		143:11	Callaway	105; 402; 403; F			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECTION
		144:22-25	Callaway	105; 402; 403			
		145:4-15	Callaway	105; 402; 403			
		146:5-19	Callaway	105; 402; 403			
		147:11-14	Callaway	105; 402; 403			
		147:16	Callaway	105; 402; 403			
		147:21-148:9	Callaway	105; 402; 403	148:10-149:2	Acushnet	
		150:21-23	Callaway	105; 402; 403			
		151:3-152:1	Callaway	105; 402; 403			
		152:4-9	Callaway	105; 402; 403; S; vague			
		152:12-13	Callaway	105; 402; 403; S; vague			
		153:20-154:4	Callaway	105; 402; 403; F			
		154:7-16	Callaway	105; 402; 403; F			
		154:19-21	Callaway	105; 402; 403; F			
		154:25-155:12	Callaway	105; 402; 403; F; vague mischaracteriz es			
		155:15-156:2	Callaway	105; 402; 403; F; vague mischaracteriz es			
		156:5	Callaway	105; 402; 403; F; vague			
		162:5-15	Callaway	105; 402; 403; F			
		162:19-163:12	Callaway	105; 402; 403; F			
		163:16-23	Callaway	105; 402; 403			
		164:7	Callaway	105; 402; 403			
		164:12-165:7	Callaway	105; 402; 403			
		169:13-16	Callaway	105; 402; 403; F			
		169:20-170:1	Callaway	105; 402; 403; F			
		170:5	Callaway	105; 402; 403; F			
		175:18-24	Callaway				
		179:13-24	Callaway	105; 402; 403; form			
		180:1-4	Callaway	105; 402; 403; form			
		180:14-18	Callaway	105; 402; 403; F; vague			
		180:22	Callaway				
		181:5-9	Callaway				

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECTION
		181:12-19	Callaway				
		181:21-182:3	Callaway				
		182:9-14	Callaway				
		182:18-22	Callaway				
		182:25-183:3	Callaway				
		183:6-10	Callaway				
		183:20-23	Callaway				
		183:25-184:1	Callaway				
		184:17-23	Callaway				
		185:13-186:9	Callaway	105; 402; 403			
		186:13-14	Callaway	105; 402; 403; F; form			
		186:17-25	Callaway	105; 402; 403; F			
		187:4-16	Callaway	105; 402; 403; F			
		187:19-188:16	Callaway	105; 402; 403; F; form			
		188:19-189:4	Callaway	105; 402; 403; F; form			
		191:10-24	Callaway	105; 402; 403	192:2-10	Acushnet	
		192:11-14	Callaway	105; 402; 403; form			
		192:17-21	Callaway	105; 402; 403; form			
		193:3-9	Callaway				
		194:8-195:10	Callaway	105; 402; 403; form			
		195:14-196:15	Callaway	105; 402; 403; form			
		197:5-7	Callaway	105; 402; 403; F; S			
		197:10-16	Callaway	105; 402; 403; F; S			
		197:18-22	Callaway	105; 402; 403; F; S			
		197:25-5	Callaway	105; 402; 403; F; S			
		198:10-200:8	Callaway	105; 402; 403; F			
		200:11-14	Callaway	105; 402; 403; F			
		200:17-19	Callaway	105; 402; 403; F			
		200:22-201:16	Callaway	105; 402; 403			
		201:24-202:10	Callaway	105; 402; 403			
		202:14-16	Callaway	105; 402; 403; form			
		202:21-25	Callaway	105; 402; 403			
		203:3-8	Callaway	105; 402; 403			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECTION
		204:6-8	Callaway	105; 402; 403; form; F			
		204:11-22	Callaway	105; 402; 403; form; F			
		204:25-205:13	Callaway				
03/27/07	Dalton, Jeffrey	9:6-15	Callaway				
		11:14-12:19	Callaway				
		15:6-10	Callaway	105; 106; 402; 403	12:20-17:10	Acushnet	
		16:18-25	Callaway	105; 106; 402; 403			
		19:1-13	Callaway				
		23:10-12	Callaway	105; 402; 403; form			
		23:14-25:21	Callaway	105; 402; 403; form			
		33:23-35:7	Callaway	105; 402; 403; 702	35:8-14; 35:22-37:1	Acushnet	
		37:2-38:12	Callaway	105; 402; 403; 702			
		39:11-20	Callaway				
		40:13-45:9	Callaway	105; 402; 403; 702	47:9-48:9	Acushnet	
		48:10-49:3	Callaway	105; 402; 403; 702			
		49:13-50:15	Callaway	105; 402; 403; 702; S	50:16-51:5	Acushnet	
		51:6-51:13	Callaway	105; 402; 403; form; 702			
		51:15-53:2	Callaway	105; 402; 403; form; 702			
		53:24-54:2	Callaway				
		57:4-61:2	Callaway	105; 402; 403; 702	56:4-57:3	Acushnet	
		62:19-64:13	Callaway	105; 402; 403; form; 702			
		64:16-65:9	Callaway	105; 402; 403; form; 702			
		69:10-23	Callaway	105; 402; 403; form			
		70:20-71:5	Callaway	105; 402; 403; form			
		71:19-72:17	Callaway	105; 402; 403; form			
		103:20-25	Callaway				
		104:16-18	Callaway	105; 402; 403; form; 702	104:22-105:8	Acushnet	
		105:9-24	Callaway	105; 402; 403; form; 702	118:12-136:10	Acushnet	

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECTION
		126:11-127:18	Callaway	105; 402; 403; form	142:11-146:25	Acushnet	
		127:20-132:1	Callaway	105; 402; 403; form			
		132:8-20	Callaway	105; 402; 403; form	132:2-7	Acushnet	
		133:9-135:21	Callaway	105; 402; 403; form	137:1-140:15	Acushnet	
		136:21-137-24	Callaway	105; 402; 403	149:1-152:1	Acushnet	
		152:2-7	Callaway	105; 402; 403			
		174:11-22	Callaway	105; 402; 403; form; F; S; calls for legal conclusion	170:23-174:10	Acushnet	
		174:25-175:7	Callaway	105; 402; 403; form; calls for legal conclusion; F; S			
		175:11-12	Callaway	105; 402; 403; form; F; S			
		175:14-176:21	Callaway	105; 402; 403; form; F; S	176:22-177:19	Acushnet	
		177:20-178:24	Callaway	105; 402; 403; form; F; S			
		179:18-180:9	Callaway	105; 402; 403; form; F; S	179:14-17	Acushnet	
		180:11-181:9	Callaway	105; 402; 403; form; F; S			
		181:11-182:21	Callaway	105; 402; 403; form; F; S			
		184:2-13	Callaway	105; 402; 403; form; F; S			
		186:1-187:10	Callaway	105; 402; 403; F; S			
		187:22-188:14	Callaway	105; 403; 402			
		188:17-18	Callaway	105; 402; 403; F; 701			
		189:7-190:12	Callaway	105; 402; 403; F; 701			
03/28/07	Hebert, Edmund	7:19-8:2	Callaway				
		263:21-264:9	Callaway	106; F; 701; S			
02/07/07	Lester, Troy – Vol. 1	5:7-6:11	Callaway				
		8:21-15:2	Callaway				
		26:10-28:10	Callaway				
		170:17-174:19	Callaway	Form; outside the scope of 30(b)(6)			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECTION
				notice; 408			
		177:11-179:19	Callaway	Form; outside the scope of 30(b)(6) notice; 402; 403			
		198:17-199:22	Callaway	Form; outside the scope of 30(b)(6) notice			
		268:15-269:3	Callaway	106; outside the scope of 30(b)(6) notice			
		274:10-276:10	Callaway	Form; outside the scope of the 30(b)(6) notice			
		277:14-280:25	Callaway	Form; F; AC			
08/17/07	Lester, Troy – Vol 2	6:13-11:6	Callaway	Form; vague; 106	11:7	Acushnet	
		21:7-24:4	Callaway	Form	16:24-17:6; 24:5-25:11; 26:10-14; 26:25-27:10	Acushnet	
		27:11-35:1	Callaway	AC; 402; 403	36:5-11; 37:15-38:4; 38:13-16	Acushnet	
		53:11-56:9	Callaway	402; 403			
		61:16-76:18	Callaway	AC; 402; 403; form; F; 408	76:19-22	Acushnet	
		79:16-102:20	Callaway	402; 403; 408; form	102:21-23	Acushnet	
		107:18-111:10	Callaway	408			
		129:11-136:10	Callaway	408			
		146:6-153:25	Callaway	Form; F	143:4-144:25	Acushnet	
		154:1-157:9	Callaway	Form; F			
		161:17-169:3	Callaway	Form; S	172:15-174:19	Acushnet	
		185:2-190:4	Callaway	408; 402; 403; form; F			
		191:6-196:3	Callaway	Calls for legal conclusion;	200:2-3; 200:13-19; 201:13-202:13; 202:16-24; 203:12-17; 203:24-204:13; 204:20-25	Acushnet	
		205:11-207:2	Callaway	Form			
		208:14-238:25	Callaway				
		239:10-243:13	Callaway				
		245:7-246:4	Callaway				
04/24/07	Sine, George	4:6-10	Callaway	106	24:23-25:4	Acushnet	
		19:5-11	Callaway				
		20:1-19	Callaway				
		21:8-14	Callaway				
		21:22-22:10	Callaway				

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECTION
		22:15-23:1	Callaway				
		24:7-22	Callaway				
		31:2-10	Callaway				
		40:2-4	Callaway	402			
		41:4-13	Callaway	402			
		41:21-42:4	Callaway				
		42:21-43:10	Callaway		43:24-44:9	Acushnet	
		47:16-48:11	Callaway	106	46:24-27:15	Acushnet	
		48:19-49:4	Callaway				
		49:24-50:12	Callaway		51:24-52-6	Acushnet	
		52:17-53:9	Callaway	106	53:10-12	Acushnet	
		53:20-54:5	Callaway	106	53:16-19	Acushnet	
		54:9-12	Callaway	402			
		54:16-20	Callaway				
		55:11-15	Callaway	402			
		55:22-56:4	Callaway				
		56:8-15	Callaway	106	56:16-20	Acushnet	
		56:21-57:7	Callaway	106	57:8-17	Acushnet	
		57:18-22	Callaway	106			
		58:7-59:11	Callaway	402; 106	59:12-60:2; 60:12-16; 60:24-62:5	Acushnet	
		62:15-63:13	Callaway	Form; 106	63:14; 63:19-64:2	Acushnet	
		65:19-67:2	Callaway	Form; F; S; 106	67:3-10; 69:3-12	Acushnet	
		70:25-72:3	Callaway	106; 402; 802	69:24-17; 72:4-7	Acushnet	
		72:8-24	Callaway	106; 402	72:25-73:13	Acushnet	
		73:18-74:4	Callaway	106; 402	74:5-11	Acushnet	
		76:7-13	Callaway	106; 402	76:14-16	Acushnet	
					78:2-8	Acushnet	
					79:1-80:24	Acushnet	
		82:16-84:7	Callaway	402; F; S			
		87:5-13	Callaway	402; 106	87:14-88:3	Acushnet	
		88:4-14	Callaway	106	89:5-24	Acushnet	
		90:12-25	Callaway				
		98:6-15	Callaway	106; F; S; Form	97:22-98:5; 98:16-23	Acushnet	
		98:24-99:5	Callaway	106; S	99:14-19; 100:5-23	Acushnet	
					103:7-20	Acushnet	
		107:6-20	Callaway	402; Form; S; F			
		121:19-122:1	Callaway	402			
		123:23-124:1	Callaway	402			
					125:17-126:14	Acushnet	
		135:4-15	Callaway				
		136:25-137:5	Callaway				
					139:2-16	Acushnet	
		143:9-144:8	Callaway	106	144:9-14; 144:23-145:5; 145:23-146:7; 148:23-149:16	Acushnet	

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECTION
		151:8-12	Callaway	106	151:3-7; 151:13-20	Acushnet	
		152:18-153:2	Callaway	Form			
		154:11-25	Callaway	106	155:1-4	Acushnet	
		159:6-160:17	Callaway		158:7-24	Acushnet	
		161:8-162:11	Callaway				
		162:19-163:6	Callaway				
		164:21-165:20	Callaway				
		165:24-166:5	Callaway	106	165:6-11	Acushnet	
		166:12-167:6	Callaway	106			
		173:12-17	Callaway	402; 403			
		189:5-190:1	Callaway	Form; F	187:22-188:9	Acushnet	
		190:21-191:6	Callaway		190:14-20	Acushnet	
		192:11-193:6	Callaway	402; 403; 106; Form; F; S	193:13-17; 194:7-195:15	Acushnet	
			197:21-198:10				
		202:24-203:12	Callaway	106	202:6-23	Acushnet	
		203:20-204:2	Callaway	106			
		204:13-205:19	Callaway	106	205:20-206:9	Acushnet	
		206:14-22	Callaway	106	206:23-207:5; 207:18-208:15	Acushnet	
		209:21-210:20	Callaway	106; Form	210:21-211:4	Acushnet	
		211:5-17	Callaway	106	211:18-212:8	Acushnet	
			213:14-21; 214:23-215:10; 216:4-18				
		216:24-217:4	Callaway	402			
		218:14-219:12	Callaway	106; 402; 403	219:13-17; 219:23-220:2; 220:17-22	Acushnet	
		221:13-222:3	Callaway	802			
		232:1-12	Callaway	106	231:5-25; 232:17-233:5	Acushnet	
		233:14-18	Callaway	106	233:14-18	Acushnet	
		234:12-19	Callaway	Form	235:14-236:21	Acushnet	
				238:1-239:10			
		240:8-18	Callaway	106	240:25-241:1	Acushnet	
		241:2-13	Callaway	106			
		249:2-6	Callaway	402; 403; 106	249:7-15	Acushnet	
		249:16-24	Callaway	106	249:25-251:19	Acushnet	
		251:20-252:8	Callaway	106			
		252:12-18	Callaway				
		253:17-254:7	Callaway	106; Form; L	254:88-256:2	Acushnet	
		256:3-13	Callaway	106	256:14-257:6; 257:16-260:2	Acushnet	
		260:23-262:8	Callaway	Form	262:24-263:19	Acushnet	
		266:17-267:5	Callaway	402	266:4-16	Acushnet	
		275:16-276:9	Callaway	AC; 402; 403			
		278:5-23	Callaway		279:9-280:18	Acushnet	
		281:21-282:19	Callaway				

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECTION
		288:14-289:2	Callaway		289:3-20	Acushnet	
		294:21-295:12	Callaway		296:23-297:6	Acushnet	
		301:14-302:6	Callaway	402			
		304:4-305:3	Callaway				
		305:8-307:20	Callaway	106	307:21-25	Acushnet	
		311:15-313:1	Callaway	106; 402; 403	310:7-311:14	Acushnet	
		313:18-318:5	Callaway				
		318:19-319:19	Callaway	F; S			
					325:7-18; 325:23-326:17; 326:20-327:4	Acushnet	
04/05/07	Snell, Dean	15:21-16:15	Callaway	402; 403			
		18:6-11	Callaway	402; 403; legal conclusion; F			
		22:23-23:4	Callaway				
		32:20-21	Callaway	402; 403; S			
		32:25-33:5	Callaway	402; 403; S	33:10-34:4; 34:15-36:11	Acushnet	
		36:12-37:6	Callaway	402; 403; F			
		100:12-14	Callaway	105; 403; F			
		100:25-101:11	Callaway	402; 403; F			
		101:15-20	Callaway	402; 403; calls for a legal conclusion; form;			
		101:24-102:5	Callaway	402; 403; calls for a legal conclusion; form			
		102:8	Callaway	402; 403; calls for a legal conclusion; form; asked and answered			
		112:1-4	Callaway	402; 403;			
		112:7-10	Callaway	402; 403; asked and answered			
		112:13-17	Callaway	402; 403; asked and answered			
		112:25-113:8	Callaway	402; 403; S			
04/05/07	Sullivan, Michael J.	6:9-19	Callaway				
		10:19-12:3	Callaway				
		15:10-20:23	Callaway	S; F; 402; 403			
		21:17-22	Callaway	105; 402; 403			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECTION
		22:1-26:7	Callaway				
		26:8-28:19	Callaway	105; 402; 403; S; F			
		30:4-32:2	Callaway	105; 402; 403			
		32:3-33:18	Callaway				
		36:6-41:17	Callaway	105; 402; 403; S; F			
		42:4-20	Callaway	402; 403			
		43:22-44:2	Callaway				
		45:22-47:4	Callaway	105; 402; 403			
		48:6-51:14	Callaway	105; 402; 403; form			
		52:1-52:11	Callaway	105; 402; 403	52:12-19	Acushnet	
		52:20-53:14	Callaway	105; 402; 403	53:15-18	Acushnet	
		63:21-65:22	Callaway	105; 402; 403			
		66:4-66:7	Callaway	105; 402; 403			
		102:8-125:24	Callaway	105; 402; 403; form: F; S; 701; 702			
		126:8-127:19	Callaway	105; 402; 403		Acushnet	
		130:10-17	Callaway	105; 402; 403	130:18-131:1		
		133:7-134:24	Callaway	105; 402; 403; calls for a legal conclusion			
		136:4-140:15	Callaway	105; 402; 403; asked and answered; form; calls for a legal conclusion; F; 702	141:22-142:15;	Acushnet	
		168:24-170:13	Callaway	105; 402; 403			
		174:25-175:3	Callaway	105; 402; 403	173:24-174:24	Acushnet	
		175:22-176:17	Callaway	105; 402; 403			
		176:21-177:15	Callaway	105; 402; 403			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECTION
		178:4-179:6	Callaway	105; 402; 403			
		242:15-248:18	Callaway	105; 402; 403; 1002			
		249:20-252:21	Callaway	105; 402; 403			
03/23/07	Wu, Shenshen	6:10-15	Callaway				
		7:13-17	Callaway				
		10:25-11:15	Callaway	105; 402; 403			
		18:15-19:9	Callaway	105; 402; 403;	11:16-12:12; 19:10-21:23; 22:3-11; 23:13-24:8;	Acushnet	
		24:14-15	Callaway	105; 402; 403; vague			
		24:17-25:11	Callaway	105; 402; 403; vague	25:20-24; 27:9-15	Acushnet	
		27:22-28:19	Callaway	105; 402; 403			
		29:11-30:18	Callaway	105; 402; 403			
08/29/07	Young, William J.	6:12-14	Callaway				
		6:20-7:13	Callaway				
		9:1-8	Callaway				
		9:19-21	Callaway				
		10:2-15	Callaway				
		11:11-19	Callaway				
		11:23-12:11	Callaway		12:12-15	Acushnet	
		12:16-18	Callaway				
		13:12-14:6	Callaway				
		15:21-16:1	Callaway				
		16:6-17:23	Callaway				
		18:1-18	Callaway				
		19:3-21:8	Callaway				
		21:19-25	Callaway				
		22:4-14	Callaway	106; F	22:1-4	Acushnet	
		22:24-23:4	Callaway				
		23:9-11	Callaway	106	23:8	Acushnet	
		23:15-24:6	Callaway	Vague			
		25:6-27:14	Callaway	Form			
		27:16-28:18	Callaway	Vague; 106	28:19-20	Acushnet	
		28:21-29:3	Callaway	106	29:4-7; 29:25-30:13; 30:16-24	Acushnet	
		30:25-31:5	Callaway	S; F			
		31:8-9	Callaway				
		31:14-33:1	Callaway				
		33:18-20	Callaway				
		33:22-34:5	Callaway	F	34:13-25	Acushnet	
		35:15-36:3	Callaway	F			
		37:19-38:10	Callaway	106; F	37:11-18	Acushnet	

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECTION
		38:16–39:15	Callaway	802; F			
		39:17-19	Callaway	106; 802; F	39:20-40:1	Acushnet	
		40:2-13	Callaway	802; F			
		43:7–44:22	Callaway	F; 701			
		45:13–46:2	Callaway	F			
		49:25–51:5	Callaway	F			
		52:2-10	Callaway	F	51:17-52:1	Acushnet	
		52:24–53:10	Callaway		53:11-17; 53:20-54:2	Acushnet	
		54:3–55:11	Callaway	F; 701; 802			
		55:13-18	Callaway	F; 701; 802			
		55:20–56:3	Callaway	F; 701; 802	56:4-11; 57:20-25; 58:2-7	Acushnet	
		59:5–50:1	Callaway	F; 701; 802			
		63:14–64:23	Callaway	F	60:24-61:24	Acushnet	
		66:20-25	Callaway				
		67:23–69:15	Callaway	402; 403; F; 802			
		69:21–71:2	Callaway	402; 403; F			
		71:8-19	Callaway	402; 403; F	71:20-22; 72:2-73:20; 73:22-74:7; 74:11-19	Acushnet	
		75:20-22	Callaway				
		76:2–77:21	Callaway	1006; F; 402; 403; 802			
		77:23–78:2	Callaway				
		78:24–79:6	Callaway	F; 402; 403			
		79:25–80:13	Callaway	F; 402; 403			
		81:16–82:16	Callaway	F; 402; 403			
		82:19-21	Callaway	F; 402; 403			
		83:20–84:21	Callaway	F; 402; 403			
		85:16–86:12	Callaway	F; 402; 403			
		86:14–87:4	Callaway	F; 402; 403			
		87:7–90:12	Callaway	F; 402; 403; 802			
		92:10-15	Callaway	F; 402; 403	90:22-92:9; 92:16-93:5	Acushnet	
		93:6-11	Callaway	F; 402; 403			
		96:16–98:1	Callaway	F; 402; 403			
		98:10–99:15	Callaway	F; 402; 403; 701	100:18-101:2	Acushnet	
		101:15–102:17	Callaway	F; 402; 403; 802			
		104:17-25	Callaway	F; vague			
		105:4-8	Callaway	F; vague			
		110:2-12	Callaway	F; 402; 403; 802; vague	110:13-111:6	Acushnet	
		111:7–112:1	Callaway	F; 402; 403; 802; vague			
		113:11-21	Callaway	F; 402; 403;			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECTION
				701; vague			
		113:23-114:14	Callaway	F; 402; 403; 701; vague			
		114:16-115:16	Callaway	F; 402; 403; 701; vague; 1006	115:17-116:23	Acushnet	
		119:18-120:2	Callaway	F; S; 802; 701; 402; 403			
		120:4-121:5	Callaway	F; S; 802; 701; 402; 403			
		127:1-2	Callaway	F			
		127:4-15	Callaway	F; 802; 402; 403			
		129:11-130:9	Callaway	F; 802; 402; 403			
		130:12-16	Callaway	F; 802; 402; 403; asked and answered			
		131:3-133:3	Callaway	F; 1006; 802; 402; 403			
		134:4-25	Callaway	F; 802; 402; 403	135:2-13	Acushnet	
		135:14-18	Callaway	F; 402; 403			
		135:25-138:4	Callaway	F; 802; 402; 403			
		138:15-17	Callaway	F; 402; 403			
		138:20-139:10	Callaway	106; F; S; 402; 403; 802	139:11-14	Acushnet	
		139:15-22	Callaway	F; 402; 403; S; 802			
		139:25-143:2	Callaway	F; 402; 403; S; 802	143:3-144:3	Acushnet	
		144:4-9	Callaway	106; 1006;	144:10-145:14	Acushnet	
		145:15-146:13	Callaway	F; S; 802; vague; 402; 403			
		146:15-22	Callaway	Vague; F; asked and answered; 402; 403			
		146:25-147:1	Callaway	Vague; F; asked and answered	147:2-17; 147:21- 22	Acushnet	
		148:10-24	Callaway	F; 402; 403; 802			
		149:2-150:3	Callaway	F; 402; 403; 802			
		150:6-152:5	Callaway	802; 402; 403; F; vague; S			
		152:7-154:6	Callaway	802; 402; 403;			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECTION
				F; vague; S			
		159:12–160:7	Callaway	802; 402; 403; F			
		160:11–23	Callaway	802; 402; 403; F			
		162:18–19	Callaway	402; 403; F			
		162:21–25	Callaway	402; 403; F			
		164:1–165:19	Callaway	1006; 802			
		166:1–10	Callaway	802; vague; 701; 402; 403			
		166:14	Callaway	802; vague; 701; 402; 403			
		168:2–169:24	Callaway	802; 402; 403; F			
		170:1–8	Callaway	F; 1006			
		170:15–172:20	Callaway	F; 802; 402; 403	172:21–173:11; 173:16–22; 173:25–174:7	Acushnet	
		176:11–21	Callaway	F; 802; 402; 403			
		176:23–177:20	Callaway	F; 802; 402; 403; 701; S			
		177:23–178:12	Callaway	F; 402; 403; 701; S			
		178:21–179:16	Callaway	F; 402; 403; 802; 1006; vague; form			
		179:19–180:11	Callaway	F; 402; 403; 802; vague; form	180:20–181:2	Acushnet	
		181:3–19	Callaway	F; 402; 403; 802; vague			
		181:23–182:1	Callaway	F; 402; 403; 802; vague	182:8; 182:10–22	Acushnet	
		182:23–183:9	Callaway	1006; 106; 402; 403; 802			
		184:12–18	Callaway	106; 802; 1006; F	184:11	Acushnet	
		192:18–24	Callaway				
		194:12–23	Callaway				
		195:2–196:14	Callaway				
		204:23–205:7	Callaway	402; 403; S; F			
		205:11–206:5	Callaway	402; 403; S; F			
			Callaway				

Exhibit 9

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CALLAWAY GOLF COMPANY,

Plaintiff,

v.

ACUSHNET COMPANY,

Defendant.

C. A. No. 06-91 (SLR)

EXHIBIT 9

ACUSHNET COMPANY'S LIST OF POTENTIAL TRIAL WITNESSES

Defendant Acushnet Company ("Acushnet") intends to call or may call the following witnesses at trial. Acushnet identifies for each witness whether it intends to call the witness live or by deposition. Acushnet reserves the right to call anyone appearing on Callaway's witness list, and reserves the right to amend its answering/rebuttal witness list in view of events at trial or other developments, including claim construction rulings, evidentiary rulings, or other rulings by the Court. Acushnet also reserves the right not to call any of the witnesses (either live or by deposition) set forth in the list below, or to call by deposition any witnesses listed as a live witness below.

WITNESS	LIVE/ DEPO
Arturi, Peter	Live/Depo
Bellis, Jerry	Live
Catania, Michael	Depo
Cormier, Marlo	Depo
Dalton, Jeffrey	Live
Fienberg, Stephen	Live
Galipeau, James	Live/Depo
Hebert, Ed	Live
Kennedy, Thomas	Depo
Kerr, William	Live
Lester, Troy	Live
Love, Davis	Live
MacKnight, William	Live
McCracken, Steve	Live/Depo
Morgan, William	Live

Nauman, Joseph	Live
Nesbitt, Dennis	Depo
Ogg, Steve	Depo
Proudfit, James	Depo
Puckett, Troy	Live
Rider, Michael	Live
Statz, Robert	Live
Sullivan, Michael	Live
White, Scott	Depo
Wu, ShenShen	Depo
Yagley, Michael	Depo

Acushnet objects to the testimony of the following witnesses identified by Callaway:

- Phil Mickelson. Mr. Mickelson was never disclosed as a potential witness in any Rule 26 disclosures during discovery, or in any interrogatory responses during discovery. Callaway identified Mr. Mickelson as a potential witness for the first time on October 1, 2007, in its disclosure of rebuttal witnesses. Acushnet has been prejudiced by this late disclosure because it did not have the opportunity to depose Mr. Mickelson during discovery, nor to depose other Callaway employees regarding any testimony Mr. Mickelson might offer. In addition, Mr. Mickelson can provide only anecdotal “praise” evidence that does not evaluate the accused products against the closest prior art. Moreover, it appears that Callaway intends to offer Mr. Mickelson to provide expert testimony in the guise of a fact witness, where no expert report was served. For those reasons, Mr. Mickelson’s testimony should be excluded from trial.
- Greg Norman. Callaway identified Mr. Norman has having relevant information for the first time on the last day of discovery. Moreover, Callaway has represented that the only day Mr. Norman is available for deposition is November 26, 2007, one week before trial begins. Callaway has provided no proffer as to what Mr. Norman intends to testify about at trial, except for the following vague description in its supplemental interrogatory responses: “Golf ball performance, acceptance and praise for the patented technology, and secondary considerations of non-obviousness.” Since Acushnet has not been informed as to the specific subject matter of Mr. Norman’s testimony, and has had no reasonable opportunity to depose Mr. Norman sufficiently in advance of trial, Acushnet has been prejudiced in its ability to predict and react to Mr. Norman’s testimony. In addition, Mr. Norman can provide only anecdotal “praise” evidence that does not evaluate the accused products against the closest prior art, which is therefore irrelevant. Moreover, it appears that Callaway intends to offer Mr. Norman to provide expert testimony in the guise of a fact witness, where no expert report was served. For all of the foregoing reasons, Mr. Norman’s testimony should be excluded from trial.

Acushnet notes that some depositions have not yet taken place as of the filing of this pretrial order, including those of Mr. Mickelson and Mr. Norman. Acushnet reserves the right to designate the depositions of any such witnesses whose depositions have yet to occur.

Exhibit 10

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CALLAWAY GOLF COMPANY,

Plaintiff,

v.

ACUSHNET COMPANY,

Defendant.

C. A. No. 06-91 (SLR)

EXHIBIT 10

**ACUSHNET'S DEPOSITION DESIGNATIONS AND CALLAWAY'S
OBJECTIONS AND COUNTERDESIGNATIONS TO SAME**

Defendant Acushnet Company ("Acushnet") hereby submits the attached designations of deposition testimony that it may seek to introduce into evidence at trial.

Acushnet reserves the right to use the deposition testimony listed by plaintiff Callaway Golf Company ("Callaway"). Acushnet further reserves the right to supplement its deposition designations with testimony given pursuant to depositions taken after the date of this submission. Acushnet further reserves the right (as agreed by Callaway) to supplement its deposition designations in light of further discovery provided to Acushnet.

Acushnet also reserves the right to enlarge or portray graphically any deposition testimony that has been designated or is otherwise admissible.

This list does not include all testimony that Acushnet may use at trial for the purposes of impeachment. Acushnet reserves the right to use at trial any testimony (whether listed or not) for the purposes of impeachment, in accordance with Rule 26(a)(3) of the Federal Rules of Civil Procedure. See also Fed. R. Civ. P. 26 advisory committee's note ("By its terms, rule 26(a)(3) does not require disclosure of evidence to be used solely for impeachment purposes . . .")

Acushnet notes that some depositions have not yet taken place as of the filing of this pretrial order, including those of Mr. Mickelson and Mr. Norman. Acushnet reserves the right to designate the depositions of any such witnesses whose depositions have yet to occur.

Acushnet also notes that the depositions of Messrs. Proudfit and Galipeau took place recently, and Acushnet only recently provided designations of those transcripts to Callaway. The parties have agreed that Callaway can provide objections and counter-designations to those depositions at a mutually-agreeable later time.

The parties have agreed to exchange objections to counter designations at a mutually-agreeable later time.

Finally, because questions may remain regarding the scope of the evidence at trial, Acushnet has designated certain testimony, the relevance of which it does necessarily admit. The fact that testimony is listed on Acushnet's designation list is not an admission that the testimony is relevant or otherwise admissible.

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
3/15/07	Peter A. Arturi	8:20-25	Acushnet		13:9-11	Callaway	
		9:1-25	Acushnet		31:16-17	Callaway	
		10:1-25	Acushnet		32:5-12	Callaway	
		11:1-25	Acushnet		39:22-41:7	Callaway	
		12:1-25	Acushnet		46:1-3	Callaway	
		13:1-8	Acushnet		47:19-21	Callaway	
		13:12-22	Acushnet		49:5-49:8	Callaway	
		15:11-25	Acushnet		51:24-52:2	Callaway	
		17:4-14	Acushnet		52:15-52:20	Callaway	
		17:23-25	Acushnet		58:20-21	Callaway	
		18:1	Acushnet		66:11-21	Callaway	
		18:11-25	Acushnet	402/403	83:3-11	Callaway	
		19:1-9	Acushnet	402/403	84:7-16	Callaway	
		22:21-25	Acushnet	402/403	86:10-20	Callaway	
		24:19-25	Acushnet	402/403	92:8-12	Callaway	
		25:1-15	Acushnet	402/403	93:4-7	Callaway	
		25:19-25	Acushnet	402/403	93:11-12	Callaway	
		26:1-5	Acushnet	402/403	94:15-21	Callaway	
		28:4-25	Acushnet	402/403, 408	98:8-99:5	Callaway	
		29:1-8	Acushnet	402/403, 408	105:1-3	Callaway	
		31:1-15	Acushnet	402/403, 408,	112:6-113:14	Callaway	

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
				802			
3/15/07	Arturi (Cont)	31:18-25	Acushnet	402/403, 408, 802	120:22-25	Callaway	
		32:1-4	Acushnet	402/403, 408, 802	121:11-17	Callaway	
		32:13-22	Acushnet	402/403, 408, 802	124:4-5	Callaway	
		32:25	Acushnet	402/403, 408, 802	126:9-127:14	Callaway	
		33:1-25	Acushnet	402/403, 408, 802	134:15-20	Callaway	
		34:1-25	Acushnet	402/403, 408, 802	135:11-136:3	Callaway	
		35:1-19	Acushnet	402/403, 408, 802	137:12-138:5	Callaway	
		36:6-25	Acushnet	402/403, 408, 802	141:12-17	Callaway	
		37:1-25	Acushnet	402/403, 408, 802	144:17-19	Callaway	
		38:1-2	Acushnet	402/403, 408, 802	147:6-148:3	Callaway	
		38:10-25	Acushnet	402/403, 408, 802	160:18-161:16	Callaway	
		39:1-21	Acushnet	402/403, 408, 802	176:9-179:18	Callaway	
		43:7-10	Acushnet	402/403, 408, 802	183:23-184:5	Callaway	
		45:2-20	Acushnet		184:13-184:17	Callaway	
		46:4-14	Acushnet	402/403	192:12-24	Callaway	
		46:17-25	Acushnet	Designates objection	199:13-19	Callaway	
		47:8-18	Acushnet		203:12-21	Callaway	
		48:13-16	Acushnet		204:6-205:13	Callaway	
		48:22-25	Acushnet		205:21-25	Callaway	
		49:1-4	Acushnet	402/403			
		50:2-16	Acushnet	402/403, 408, 802			
		50:19-25	Acushnet	402/403, 408, 802			
		51:1	Acushnet	402/403, 408, 802			
		51:9-13	Acushnet	402/403, 408, 802			
		51:18-23	Acushnet	402/403, 408, 802			
		56:9-11	Acushnet	402/403, 408, 802			
		56:17-25	Acushnet	402/403, 408, 802			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
3/15/07	Arturi (cont)	57:1-3	Acushnet	402/403, 408, 802			
		57:9-23	Acushnet	402/403, 408, 802, 106			
		58:22-24	Acushnet	402/403, 408, 802			
		59:2-21	Acushnet	402/403, 408, 802			
		60:5-16	Acushnet	402/403, 408, 802			
		60:24-25	Acushnet	402/403			
		61:1-9	Acushnet	402/403, 408, 802			
		61:13-16	Acushnet	402/403, 408			
		61:19	Acushnet	402/403			
		61:22-25	Acushnet	402/403			
		62:1-8	Acushnet	402/403			
		62:11-25	Acushnet	402/403			
		63:17-23	Acushnet	402/403			
		64:19-25	Acushnet	402/403, 408, 802			
		65:1-14	Acushnet	402/403, 408, 802			
		73:16-25	Acushnet	402/403, 408, 802			
		74:1-5	Acushnet	402/403, 408, 802			
		76:26	Acushnet	402/403, 408, 802; 106 (Should be 76:25)			
		77:1-12	Acushnet	402/403, 408, 802			
		78::7-25	Acushnet	402/403, 408, 802			
		79:1-25	Acushnet	402/403, 408, 802			
		80:5-8	Acushnet	402/403, 408, 802			
		80:24-25	Acushnet	402/403, 408, 802			
		81:1-17	Acushnet	402/403, 408, 802			
		83:12-25	Acushnet	402/403, 408, 802			
		84:1-6	Acushnet	402/403, 408, 802			
		84:17-25	Acushnet	402/403			
		85:1-13	Acushnet	402/403, 408, 802			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
3/15/07	Arturi (cont)	86:1-9	Acushnet	402/403, 408, 802			
		87:2-6	Acushnet	402/403, 408, 802			
		87:11-14	Acushnet	402/403, 408, 802			
		89:8-25	Acushnet	402/403, 408, 802			
		90:1	Acushnet	402/403, 408, 802			
		90:13-25	Acushnet	402/403, 408, 802			
		91:1-11	Acushnet	402/403, 408, 802			
		91:24-25	Acushnet	402/403, 408, 802			
		92:1-7	Acushnet	402/403, 408, 802			
		92:18-25	Acushnet	402/403, 408, 802			
		93:1-3	Acushnet	402/403, 408, 802			
		93:13-25	Acushnet	402/403, 408, 802			
		94:1-14	Acushnet	402/403, 408, 802			
		95:16-25	Acushnet	402/403, 408, 802			
		96:1-8	Acushnet	402/403, 408, 802			
		96:14-25	Acushnet	402/403, 408, 802			
		97:1-4	Acushnet	402/403, 408, 802			
		100:6-15	Acushnet	402/403, 408			
		100:20-25	Acushnet	402/403, 408, 802			
		101:1-3	Acushnet	402/403, 408, 802			
		101:10-22	Acushnet	402/403, 408, 802			
		102:12-15	Acushnet	402/403, 408, 802			
		102:20-25	Acushnet	402/403, 408, 802			
		103:1	Acushnet	402/403, 408, 802			
		103:6-25	Acushnet	402/403, 408, 802			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
3/15/07	Arturi (cont)	104:1-15	Acushnet	402/403, 408, 802			
		104:19-22	Acushnet	402/403, 408, 802			
		104:25	Acushnet	402/403, 408, 802			
		105:4-22	Acushnet	402/403, 408, 802			
		106:2-25	Acushnet	402/403, 408, 802			
		107:1-25	Acushnet	402/403, 408, 802			
		108:1-7	Acushnet	402/403, 408, 802			
		108:22-25	Acushnet	402/403, 408, 802			
		109:1-18	Acushnet	402/403, 408, 802			
		110:3-25	Acushnet	402/403, 408, 802			
		111:1-25	Acushnet	402/403, 408, 802			
		112:1-5	Acushnet	402/403, 408, 802			
		113:15-25	Acushnet	402/403, 408, 802			
		114:1-12	Acushnet	402/403, 408, 802			
		114:15-25	Acushnet	402/403, 408, 802			
		115:19-25	Acushnet	402/403, 408, 802			
		116:1-3	Acushnet	402/403, 408, 802			
		116:6-10	Acushnet	402/403, 408, 802			
		116:13-25	Acushnet	402/403, 408, 802			
		117:1-13	Acushnet	402/403, 408, 802			
		117:16-25	Acushnet	402/403, 408, 802			
		118:1-25	Acushnet	402/403, 408, 802			
		119:1-25	Acushnet	402/403, 408, 802			
		120:1-17	Acushnet	402/403, 408, 802			
		121:1-10	Acushnet	402/403, 408,			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
				802			
3/15/07	Arturi (cont)	121:18-25	Acushnet	402/403, 408, 802			
		122:1-25	Acushnet	402/403, 408, 802			
		123:1-19	Acushnet	402/403, 408, 802			
		123:24-25	Acushnet	402/403, 408, 802			
		124:1-3	Acushnet	402/403, 408, 802			
		124:6-25	Acushnet	402/403, 408, 802			
		125:1-6	Acushnet	402/403, 408, 802			
		125:14-18	Acushnet	402/403, 408, 802			
		125:21-24	Acushnet	402/403, 408, 802			
		126:3-8	Acushnet	402/403, 408, 802			
		127:15-25	Acushnet	402/403, 408, 802			
		128:1-2	Acushnet	402/403, 408, 802			
		128:10-25	Acushnet	402/403, 408, 802			
		129:1-9	Acushnet	402/403, 408, 802			
		129:13-25	Acushnet	402/403, 408, 802			
		130:1-4	Acushnet	402/403, 408, 802			
		131:13-25	Acushnet	402/403, 408, 802			
		135:1-4	Acushnet	402/403, 408, 802, 106 (Should be 135:1-5)			
		135:8-10	Acushnet	402/403, 408, 802			
		137:3-6	Acushnet	402/403, 408, 802			
		140:6-16	Acushnet	402/403, 408, 802			
		140:20-25	Acushnet	402/403, 408, 802			
		141:1-11	Acushnet	402/403, 408, 802			
		143:7-21	Acushnet	402/403, 408,			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
				802			
3/15/07	Arturi (cont)	144:9-16	Acushnet	402/403, 408, 802			
		144:20-25	Acushnet	402/403, 408, 802			
		145:1-13	Acushnet	402/403, 408, 802			
		145:16-25	Acushnet	402/403, 802			
		146:1-25	Acushnet	402/403, 802, MIL			
		147:1-5	Acushnet	402/403, 802, MIL			
		148:20-25	Acushnet	402/403, 408, 802			
		149:1-2	Acushnet	402/403, 408, 802			
		149:5-25	Acushnet	402/403, 408, 802			
		150:1-8	Acushnet	402/403, 408, 802			
		152:14-20	Acushnet	402/403			
		153:2	Acushnet	402/403			
		154:11-23	Acushnet				
		158:19-25	Acushnet				
		159:1-12	Acushnet				
		159:17-25	Acushnet				
		160:5-17	Acushnet				
		161:17-25	Acushnet	402/403, 602			
		162:1-11	Acushnet	402/403, 602			
		162:16-25	Acushnet	402/403, 602			
		163:1	Acushnet	402/403, 602			
		163:17-24	Acushnet	402/403, 602			
		165:23-25	Acushnet	402/403, 602			
		166:1	Acushnet	402/403, 602			
		173:2-12	Acushnet	602			
		173:17-25	Acushnet	402/403, 802			
		174:1-25	Acushnet	402/403, 802			
		175:1-5	Acushnet	402/403, 802			
		175:8-16	Acushnet	402/403, 802			
		175:19-25	Acushnet	402/403, 802			
		176:1-8	Acushnet	402/403, 802			
		179:19-25	Acushnet	402/403, 602			
		180:1-13	Acushnet	402/403, 802, 602			
		181:2-14	Acushnet	402/403, 408, 802			
		181:19-25	Acushnet	402/403, 408, 802			
		183:11-13	Acushnet	402/403, 802			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
		183:17-22	Acushnet	402/403, 802			
3/15/07	Arturi (cont)	184:22-25	Acushnet	402/403, 408, 802			
		185:1-8	Acushnet	402/403, 408, 802			
		187:22-25	Acushnet	402/403			
		188:1-3	Acushnet	402/403			
		189:25	Acushnet	402/403, 408, 802, 602			
		190:1-16	Acushnet	402/403, 408, 802, 602			
		190:19-22	Acushnet	402/403, 408, 802, 602			
		191:20-25	Acushnet	402/403, 408, 802, 602			
		192:1-9	Acushnet	402/403, 408, 802, 602			
		193:22-25	Acushnet	402/403, 408, 802, 602			
		194:1-5	Acushnet	402/403, 408, 802, 602			
		199:7-13	Acushnet	402/403, 701			
		200:4-15	Acushnet	402/403, 408			
		200:18-19	Acushnet	402/403, 408			
		201:22-25	Acushnet	402/403, 408			
		202:1-22	Acushnet	402/403, 408			
		206:13-21	Acushnet	402/403, 602, 701			
		206:24-25	Acushnet	402/403, 602, 701			
		207:1-9	Acushnet	402/403, 602, 701			
4-5-07	Dean Snell	12:21-25	Acushnet		34:5-13	Callaway	
		13:1-20	Acushnet		50:12-17	Callaway	
		13:18-24	Acushnet		74:19-75:6	Callaway	
		14:19-25	Acushnet		78:23-81:4	Callaway	
		15:1	Acushnet		83:21-84:8	Callaway	
		15:21-25	Acushnet		86:25-87:12	Callaway	
		16:1-6	Acushnet		91:9-25	Callaway	
		22:23-25	Acushnet		101:19-102:8	Callaway	
		23:1-4	Acushnet				
		30:10-12	Acushnet				
		30:14-20	Acushnet				
		32:14-16	Acushnet				
		33:2-5	Acushnet				
		33:10-25	Acushnet				
		34:1-4	Acushnet				
		34:15-25	Acushnet				

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
4-5-07	Snell (cont)	35:1-25	Acushnet				
		36:1-11	Acushnet				
		37:11-18	Acushnet				
		40:16-25	Acushnet	402			
		41:1-9	Acushnet	402			
		47:13-18	Acushnet				
		49:5-25	Acushnet				
		50:1-11	Acushnet				
		51:18-24	Acushnet				
		60:6-12	Acushnet				
		60:19-25	Acushnet				
		61:1-16	Acushnet				
		66:6-9	Acushnet				
		73:19-25	Acushnet				
		74:1-2	Acushnet				
		76:18-25	Acushnet				
		77:1-21	Acushnet				
		81:10-25	Acushnet				
		82:1-7	Acushnet				
		82:9-25	Acushnet				
		86:15-24	Acushnet				
		90:13-20	Acushnet				
		90:23	Acushnet				
		100:12-14	Acushnet				
		101:5-11	Acushnet				
		101:15-17	Acushnet				
		104:18-22	Acushnet				
		105:5-25	Acushnet				
		113:23-25	Acushnet				
		114:1-11	Acushnet				
4-10-07	Stephen C. McCracken	7:1-24	Acushnet		27:6-27:14	Callaway	
		8:1-24	Acushnet		29:1-31:8	Callaway	
		9:1-24	Acushnet		33:4-12	Callaway	
		10:1-24	Acushnet		40:12-41:21	Callaway	
		11:1-16	Acushnet		52:18-53:8	Callaway	
		13:4-14	Acushnet		65:16-67:5	Callaway	
		14:19-24	Acushnet		84:6-23	Callaway	
		15:1-4	Acushnet		85:14-21	Callaway	
		18:16-24	Acushnet		94:15-18	Callaway	
		19:1-5	Acushnet		102:15-106:13	Callaway	
		23:1-20	Acushnet		109:18-112:24	Callaway	
		24:19-21	Acushnet		143:2-12	Callaway	
		25:1-19	Acushnet		144:8-145:6	Callaway	
		26:2-10	Acushnet		196:10-196:19	Callaway	
		27:15-24	Acushnet		205:1-3	Callaway	
		28:1-16	Acushnet		216:13-217:6	Callaway	

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
4-10-07	McCracken (cont)	28:20-24	Acushnet				
		31:10-19	Acushnet				
		32:13-24	Acushnet	402, 403			
		33:1-2	Acushnet	402, 403			
		33:14-24	Acushnet				
		34:1-19	Acushnet				
		36:9-24	Acushnet				
		37:1-24	Acushnet				
		38:1-2	Acushnet				
		38:15-24	Acushnet				
		39:1-2	Acushnet				
		39:6-24	Acushnet				
		40:1-11	Acushnet	402, 403			
		41:22-24	Acushnet				
		42:1-24	Acushnet				
		43:1-11	Acushnet				
		43:16-24	Acushnet				
		44:1-24	Acushnet	408			
		45:1-24	Acushnet	408, 802			
		46:1-24	Acushnet				
		47:1-18	Acushnet				
		48:3-24	Acushnet	402, 802			
		49:1-24	Acushnet	402, 802, 1002			
		50:1-24	Acushnet	402, 802, 1002			
		51:1-3	Acushnet	402, 802, 1002			
		52:9-17	Acushnet	402, 403, 802, 1002			
		53:23-24	Acushnet				
		54:1-10	Acushnet	402, 403			
		54:16-24	Acushnet				
		55:1-24	Acushnet	802			
		56:1-24	Acushnet	802			
		57:1-24	Acushnet				
		58:1-5	Acushnet				
		58:20-24	Acushnet	802			
		59:1-24	Acushnet	402, 403, 802			
		60:1-24	Acushnet	402, 403, 602, 802			
		61:1-9	Acushnet	106 (add 6:10), 402, 403, 802			
		61:16-21	Acushnet	602, 802			
		61:24	Acushnet	602, 802			
		62:1-6	Acushnet	602, 802			
		62:13-24	Acushnet				
		63:1-4	Acushnet	602			
		63:7-24	Acushnet	602, 802			
		64:1-9	Acushnet	402, 602			
		71:18-22	Acushnet				

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
4-10-07	McCracken (cont)	72:14-24	Acushnet	408			
		73:1-24	Acushnet	403, 408			
		74:1-24	Acushnet	408			
		75:1-24	Acushnet	408			
		76:1-3	Acushnet	408, 802			
		77:12-24	Acushnet	403, 408			
		78:1-10	Acushnet	408			
		78:12-24	Acushnet	408			
		79:1-24	Acushnet	408, 802			
		80:1-23	Acushnet	402, 403, 408, 802			
		81:7-24	Acushnet	402, 403, 408, 802			
		82:1-2	Acushnet	408			
		82:14-24	Acushnet	402, 403, 408			
		83:1-24	Acushnet	402, 403, 408			
		84:1-5	Acushnet	408			
		84:24	Acushnet	408			
		85:1-13	Acushnet	402, 403, 408			
		85:22-24	Acushnet	408, 802			
		86:1-3	Acushnet	408			
		86:18-24	Acushnet	408, 802			
		87:1-24	Acushnet	408, 802			
		88:1-24	Acushnet	408, 802			
		89:1-5	Acushnet	408, 802			
		89:16-24	Acushnet	402, 403, 408			
		90:1-24	Acushnet	402, 403, 408, 802			
		91:1-24	Acushnet	408			
		92:1-24	Acushnet	408			
		93:1-24	Acushnet	408, 802			
		94:1-14	Acushnet	408			
		94:19-24	Acushnet	402, 403, 408			
		95:1-4	Acushnet	402, 403, 408			
		95:18-24	Acushnet				
		96:1-4	Acushnet	402, 403, 408, 602, 802			
		96:8-24	Acushnet	106 (add 97:1-2), 402, 403, 408, 602, 802			
		99:15-24	Acushnet	408			
		100:1-24	Acushnet	402, 403, 408, 802			
		101:1-24	Acushnet	402, 403, 408			
		102:1	Acushnet	408			
		107:1-9	Acushnet	106 (add 106:24), 408, 802			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
4-10-07	McCracken (cont)	107:24	Acushnet	408, 802			
		108:1-24	Acushnet	408			
		109:1-17	Acushnet	408			
		113:1-24	Acushnet	402, 403, 408, 802			
		114:1-24	Acushnet	402, 403, 408, 602, 802			
		115:1-10	Acushnet	408			
		116:6-24	Acushnet				
		117:1	Acushnet				
		139:6-24	Acushnet	403, 408			
		141:2-8	Acushnet	408, 802			
		141:12-24	Acushnet	408, 602, 802			
		142:1-24	Acushnet	408, 602, 802			
		143:1	Acushnet	408, 802			
		143:13-24	Acushnet	408			
		144:1-17	Acushnet	408			
		147:12-24	Acushnet				
		148:1-11	Acushnet				
		149:1-24	Acushnet	106 (add 148:24)			
		150:1-24	Acushnet				
		151:1-24	Acushnet				
		152:1-9	Acushnet	403			
		153:1-24	Acushnet				
		154:1-24	Acushnet				
		155:1-24	Acushnet	602			
		156:1-24	Acushnet	602			
		157:1-24	Acushnet	408, 802			
		158:1-24	Acushnet	408, 802			
		159:1-24	Acushnet	408, 602, 802			
		160:1-24	Acushnet	408, 802			
		161:1-7	Acushnet	403, 408, 802			
		161:18-24	Acushnet	408, 802			
		162:1-22	Acushnet	408, 802			
		171:17-24	Acushnet	408			
		172:1-2	Acushnet	408			
		172:7-24	Acushnet	408, 802			
		173:1-24	Acushnet	408, 802			
		174:1-24	Acushnet	408, 802			
		175:1-24	Acushnet	408			
		176:1-24	Acushnet	408			
		177:1-10	Acushnet	408, 602			
		177:13-24	Acushnet	408			
		178:1-5	Acushnet	408			
		179:2-24	Acushnet	402, 403, 408			
		180:1-14	Acushnet	402, 403, 408			
		180:23-24	Acushnet	408			
		181:1-24	Acushnet	408			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
4-10-07	McCracken (cont)	182:1-24	Acushnet	402, 403, 408			
		183:1-7	Acushnet				
		183:21-24	Acushnet	408			
		184:1-8	Acushnet	408			
		184:15-24	Acushnet	408			
		185:1-24	Acushnet	408			
		186:1-24	Acushnet	403, 408			
		187:1-24	Acushnet	403, 408			
		188:1-5	Acushnet	408			
		189:5-10	Acushnet	408, 802			
		193:17-24	Acushnet				
		194:1-24	Acushnet	402, 403			
		201:3-10	Acushnet				
		202:10-24	Acushnet				
		203:1-3	Acushnet				
		203:17-24	Acushnet	602, 802			
		204:1-28	Acushnet	403, 602, 802			
		205:4-9	Acushnet	106 (add 205:1-3)			
		205:20-24	Acushnet	802			
		206:15-24	Acushnet	602, 802			
		207:1-24	Acushnet	602, 802			
		208:1-24	Acushnet	602, 802			
		209:1-9	Acushnet	602			
		209:14-24	Acushnet				
		210:1-13	Acushnet				
		211:11-24	Acushnet	602, 802			
		212:1	Acushnet	602, 802			
		213:20-24	Acushnet				
		214:1-4	Acushnet	802			
		214:14-24	Acushnet				
		215:1-24	Acushnet	802			
		216:1-12	Acushnet	802			
		217:7-24	Acushnet				
		218:1-24	Acushnet	402, 403, 602			
		219:1-24	Acushnet	402, 403, 602			
		220:1-24	Acushnet	402, 403, 602			
		221:1-24	Acushnet	402, 403			
		222:1-24	Acushnet	402, 403			
		223:1-24	Acushnet	402, 403, 408			
		224:1-20	Acushnet	408, 501			
		225:6-20	Acushnet	403, 501			
		225:24	Acushnet	403, 501			
		226:1-20	Acushnet	403, 501			
		227:1-24	Acushnet	403, 501			
		228:1-10	Acushnet				

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
4-11-07	R. Dennis Nesbitt	6:3-4	Acushnet		16:18-21	Callaway	
		7:15-21	Acushnet		44: 21-25	Callaway	
		11:18-25	Acushnet		68: 24-69:1	Callaway	
		12:1-25	Acushnet		69: 4-6	Callaway	
		13:1-25	Acushnet		80: 15-81:4	Callaway	
		14:1-25	Acushnet		83: 7	Callaway	
		15:1-25	Acushnet		88: 16-19	Callaway	
		16:1-9	Acushnet		89: 22-89:2	Callaway	
		16:22-25	Acushnet		90:5-15	Callaway	
		17:1-25	Acushnet		93:13-19	Callaway	
		18:10-22	Acushnet		94:24-5:12	Callaway	
		19:9-25	Acushnet		95:24-25	Callaway	
		20:1-25	Acushnet		96: 6-7:17	Callaway	
		21:1-25	Acushnet		98:6-10	Callaway	
		22:1-25	Acushnet		98:12-19	Callaway	
		23:1-24	Acushnet		99:11-25	Callaway	
		24:20-25	Acushnet		100:5-8	Callaway	
		25:1-25	Acushnet		107:16-17	Callaway	
		26:1-25	Acushnet		175:11-12	Callaway	
		27:1-25	Acushnet		175:23-17:6	Callaway	
		28:1-25	Acushnet		177:8	Callaway	
		29:1-25	Acushnet		179:23-25	Callaway	
		30:1-25	Acushnet		180:23	Callaway	
		31:1-25	Acushnet		181:1-6	Callaway	
		32:1-10	Acushnet		181:8-15	Callaway	
		32:12-25	Acushnet		181:18-20	Callaway	
		33:1-25	Acushnet		181:25	Callaway	
		34:1-25	Acushnet		182:3-5	Callaway	
		35:1-25	Acushnet		182:8-11	Callaway	
		36:1-21	Acushnet		182:13	Callaway	
		37:13-25	Acushnet		190:16-24	Callaway	
		38:1-25	Acushnet		191:17-20	Callaway	
		39:1-11	Acushnet		192:16-193:4	Callaway	
		41:20-25	Acushnet		195:6-9	Callaway	
		42:3-12	Acushnet	106; 402	195:12-19	Callaway	
		42:15-25	Acushnet	402; 403; Not a Question	195:22-23	Callaway	
		43:1-5	Acushnet	Lacks Foundation	196:8-11	Callaway	
		43:11-18	Acushnet	Lacks Foundation	196:14-19	Callaway	
		43:21-25	Acushnet		197:7-11	Callaway	
		44:1-2	Acushnet	106	197:13-18	Callaway	
		45:1-25	Acushnet	106	199:10-15	Callaway	
		46:2-4	Acushnet		203:25-204:4	Callaway	
		46:7-25	Acushnet		209:15-211:1	Callaway	
		47:1	Acushnet		220:12-16	Callaway	
		47:8-13	Acushnet		221:19-23	Callaway	

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
4-11-07	Nesbitt (cont)	47:16-24	Acushnet		224:1-225: 4	Callaway	
		48:3-14	Acushnet	Lacks Foundation	225:19-23	Callaway	
		48:18-20	Acushnet	Lacks Foundation	227:10-13	Callaway	
		48:23-25	Acushnet	Lacks Foundation	227:16-228: 6	Callaway	
		49:3-22	Acushnet	Lacks Foundation	228:8-9	Callaway	
		50:8-10	Acushnet		230:5-11	Callaway	
		50:13-18	Acushnet		233:20-25	Callaway	
		50:21-25	Acushnet		235:13-21	Callaway	
		51:1-25	Acushnet		236:3	Callaway	
		52:1-4	Acushnet		236:5-10	Callaway	
		53:8-25	Acushnet		236:11-237:6	Callaway	
		54:1-14	Acushnet		237:14-23	Callaway	
		55:12-25	Acushnet		238:14-21	Callaway	
		56:3-25	Acushnet		239:22-239:1	Callaway	
		57:1-7	Acushnet		239:3-20	Callaway	
		57:19-25	Acushnet		239:22-243:16	Callaway	
		58:1-25	Acushnet		244:21-245:24	Callaway	
		59:1-5	Acushnet		246:1-7	Callaway	
		59:8-25	Acushnet		246:9-12	Callaway	
		60:1-4	Acushnet		246:14-16	Callaway	
		60:6-25	Acushnet		247:4-13	Callaway	
		61:1-8	Acushnet		247:15-19	Callaway	
		61:12-25	Acushnet		248:22-249:3	Callaway	
		62:1-25	Acushnet	Lacks Foundation	249:4-6	Callaway	
		63:1	Acushnet	Lacks Foundation	249:11-15	Callaway	
		63:4-25	Acushnet	Lacks Foundation			
		64:1-25	Acushnet				
		65:1-17	Acushnet				
		65:20-25	Acushnet				
		66:1-8	Acushnet				
		66:11-25	Acushnet				
		67:1-13	Acushnet				
		67:15-25	Acushnet				
		68:1-23	Acushnet				
		69:7-25	Acushnet				
		70:1-25	Acushnet				
		71:1-22	Acushnet				
		71:25	Acushnet				
		72:1-13	Acushnet				
		72:16-25	Acushnet	Lacks Foundation			
		73:3-25	Acushnet	Lacks			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
				Foundation			
4-11-07	Nesbitt (cont)	74:1-6	Acushnet				
		74:9-25	Acushnet				
		75:1-25	Acushnet				
		76:1-25	Acushnet				
		77:1-6	Acushnet				
		77:11-18	Acushnet				
		77:21-25	Acushnet				
		78:1-25	Acushnet	802			
		79:1-25	Acushnet	802			
		80:1-14	Acushnet	802			
		81:25	Acushnet				
		82:1-25	Acushnet				
		83:1-4	Acushnet				
		83:11-25	Acushnet				
		84:1-11	Acushnet				
		84:17-25	Acushnet				
		85:1-25	Acushnet				
		86:1-13	Acushnet				
		86:19-25	Acushnet				
		87:1-25	Acushnet				
		88:1-9	Acushnet				
		89:7-17	Acushnet				
		89:20-25	Acushnet				
		90:1-4	Acushnet				
		90:16-25	Acushnet				
		91:1-12	Acushnet	Not a Question			
		91:14-25	Acushnet				
		92:1-25	Acushnet				
		93:1-12	Acushnet				
		94:3-23	Acushnet				
		95:13-23	Acushnet				
		97:18-25	Acushnet				
		98:1-5	Acushnet				
		100:1-4	Acushnet				
		102:10-25	Acushnet				
		103:1-6	Acushnet				
		103:8-12	Acushnet				
		103:15-18	Acushnet				
		105:5-25	Acushnet				
		106:1-25	Acushnet				
		107:1-15	Acushnet				
		109:5-25	Acushnet				
		110:1-5	Acushnet				
		112:20-25	Acushnet				
		113:1-16	Acushnet				
		114:1-12	Acushnet	Not a Question			
		115:1-5	Acushnet	106			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
4-11-07	Nesbitt (cont)	115:8-9	Acushnet				
		116:8-25	Acushnet	Not a Question			
		117:1-25	Acushnet	Not a Question			
		118:1-25	Acushnet				
		119:1-13	Acushnet				
		119:20-21	Acushnet				
		119:22-25	Acushnet				
		120:1-25	Acushnet				
		121:1-8	Acushnet				
		121:11-21	Acushnet				
		122:2-25	Acushnet				
		123:1-25	Acushnet				
		124:1-25	Acushnet				
		125:1-25	Acushnet				
		126:1-25	Acushnet				
		127:1-25	Acushnet				
		128:1-12	Acushnet				
		128:24-25	Acushnet				
		129:1-25	Acushnet				
		130:1-25	Acushnet				
		131:1-25	Acushnet				
		132:1-25	Acushnet				
		133:1-25	Acushnet				
		134:1-25	Acushnet				
		135:1-25	Acushnet				
		136:1-4	Acushnet				
		146:18-25	Acushnet				
		147:1-25	Acushnet				
		148:1-14	Acushnet				
		149:23-25	Acushnet	Failure to Designate an Answer			
		150:1-25	Acushnet				
		151:1-25	Acushnet				
		152:1-24	Acushnet				
		153:1-25	Acushnet				
		154:1-25	Acushnet				
		155:1-25	Acushnet				
		156:1-25	Acushnet				
		157:1-25	Acushnet				
		158:1-25	Acushnet				
		159:1-25	Acushnet				
		160:1-16	Acushnet				
		160:19-21	Acushnet				
		161:5-25	Acushnet				
		162:1-25	Acushnet				
		163:1-25	Acushnet				
		164:1-25	Acushnet				

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
4-11-07	Nesbitt (cont)	165:1-4	Acushnet				
		165:6	Acushnet				
		165:8-17	Acushnet				
		165:20-25	Acushnet				
		166:1-16	Acushnet				
		166:20-25	Acushnet				
		167:1-17	Acushnet				
		168:5-7	Acushnet				
		168:10-25	Acushnet				
		169:1-24	Acushnet				
		170:10-13	Acushnet				
		170:16-25	Acushnet				
		171:1-11	Acushnet				
		171:13-19	Acushnet				
		172:23-25	Acushnet				
		173:1-25	Acushnet				
		174:1	Acushnet				
		174:5-9	Acushnet				
		177:18-25	Acushnet				
		178:1-4	Acushnet				
		178:13-24	Acushnet				
		179:15-22	Acushnet				
		180:1-7	Acushnet				
		180:11-14	Acushnet				
		180:18-22	Acushnet				
		183:14-16	Acushnet				
		183:19	Acushnet				
		184:7-12	Acushnet				
		184:17-25	Acushnet				
		185:1	Acushnet				
		185:3-20	Acushnet				
		185:22-25	Acushnet				
		186:1-4	Acushnet				
		186:6-17	Acushnet				
		186:19-25	Acushnet				
		187:1-25	Acushnet				
		188:1-7	Acushnet				
		188:14-25	Acushnet				
		189:15-17	Acushnet	Not a Question; Mischaracterizes a document			
		189:22-25	Acushnet				
		190:1-15	Acushnet				
		190:25	Acushnet				
		191:1-16	Acushnet				
		192:1-15	Acushnet				
		193:5-8	Acushnet				
		193:25	Acushnet				

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
4-11-07	Nesbitt (cont)	194:1-25	Acushnet				
		195:3-5	Acushnet				
		195:24-25	Acushnet				
		196:1-5	Acushnet				
		196:20-25	Acushnet				
		197:1-6	Acushnet				
		199:19-25	Acushnet				
		200:1-3	Acushnet				
		200:8-21	Acushnet				
		201:25	Acushnet				
		202:1-11	Acushnet				
		202:15-25	Acushnet				
		203:1-24	Acushnet				
		204:12-25	Acushnet				
		205:1-25	Acushnet				
		206:1-24	Acushnet				
		207:1-2	Acushnet				
		208:5-25	Acushnet				
		209:1-8	Acushnet				
		211:5-25	Acushnet				
		212:1-25	Acushnet				
		213:1-25	Acushnet				
		214:10-15	Acushnet				
		215:14-25	Acushnet				
		216:1-8	Acushnet				
		216:11-25	Acushnet				
		217:1	Acushnet				
		217:4-6	Acushnet				
		217:25	Acushnet				
		218:1-25	Acushnet				
		219:3-18	Acushnet				
		219:20-25	Acushnet				
		220:1	Acushnet				
		220:3-8	Acushnet				
		226:6-10	Acushnet				
		229:24-25	Acushnet				
		230:1-4	Acushnet				
		233:14-19	Acushnet				
		234:21-25	Acushnet				
		235:1-11	Acushnet				
		243:24-25	Acushnet				
		244:1-17	Acushnet				
		249:21-25	Acushnet				
		250:1-25	Acushnet	408			
		251:1-17	Acushnet	408			
4-12-07	Scott White	7:6-7	Acushnet		11:12-12:14	Callaway	
		8:14-15	Acushnet		17:10-20	Callaway	

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
4-12-07	White (cont)	12:15-24	Acushnet		22:10-16	Callaway	
		13:1-24	Acushnet		24:6-25:11	Callaway	
		14:1-7	Acushnet		27:8-13	Callaway	
		15:5-24	Acushnet		28:4-9	Callaway	
		16:1-24	Acushnet		42:11-43:8	Callaway	
		17:1-9	Acushnet		47:8-12	Callaway	
		17:21-24	Acushnet		47:20-23	Callaway	
		18:1-10	Acushnet		72:10-21	Callaway	
		19:18-24	Acushnet		77:13-78:15	Callaway	
		20:1-24	Acushnet		79:18	Callaway	
		21:1-6	Acushnet		102:16-17	Callaway	
		21:14-24	Acushnet		102:19-22	Callaway	
		22:1-9	Acushnet		106:24-110:21	Callaway	
		22:17-24	Acushnet		111:9-13	Callaway	
		23:1-24	Acushnet		146:15-23	Callaway	
		24:1-5	Acushnet		151:17-153:17	Callaway	
		25:12-24	Acushnet		168:6-169:21	Callaway	
		26:1-24	Acushnet		172:19-22	Callaway	
		27:1-7	Acushnet		174:17-175:3	Callaway	
		27:14-15	Acushnet		177:2-19	Callaway	
		27:18-24	Acushnet		178:17-22	Callaway	
		28:1-3	Acushnet		182:1-20	Callaway	
		36:1-6	Acushnet		182:24-185:5	Callaway	
		36:8-24	Acushnet		199:23-200:17	Callaway	
		37:1-4	Acushnet		209:6-16	Callaway	
		37:6-18	Acushnet		210:3-14	Callaway	
		55:15-24	Acushnet		219:12-220:16	Callaway	
		56:1-24	Acushnet		220:22-221:3	Callaway	
		57:1-10	Acushnet		227:1-228:3	Callaway	
		60:18-24	Acushnet		247:10-12	Callaway	
		61:1-24	Acushnet				
		62:1-24	Acushnet				
		63:1-3	Acushnet				
		64:15-24	Acushnet				
		65:1-14	Acushnet				
		65:17-18	Acushnet				
		65:23-24	Acushnet				
		66:1-24	Acushnet	402/403, 802			
		67:1-22	Acushnet	402/403, 802			
		68:15-24	Acushnet				
		69:1-24	Acushnet				
		70:1-23	Acushnet				
		78:16-24	Acushnet				
		79:1-14	Acushnet				
		79:19-24	Acushnet	106			
		80:1-20	Acushnet				
		81:5-14	Acushnet				
		82:9-24	Acushnet				

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
4-12-07	White (cont)	83:1-20	Acushnet				
		84:15-24	Acushnet				
		85:1-12	Acushnet				
		85:15-24	Acushnet				
		86:1-24	Acushnet				
		87:1-24	Acushnet				
		88:1-24	Acushnet				
		89:1-24	Acushnet				
		90:9-24	Acushnet				
		91:1-24	Acushnet				
		92:1-19	Acushnet				
		92:22-24	Acushnet				
		93:1-24	Acushnet				
		94:1-12	Acushnet				
		96:7-8	Acushnet				
		96:10-24	Acushnet				
		97:1-24	Acushnet				
		98:1-2	Acushnet				
		98:18-24	Acushnet				
		99:1-24	Acushnet				
		100:1-24	Acushnet	402/403, 602, 802			
		101:1-3	Acushnet	402/403, 602			
		101:7-24	Acushnet				
		102:1-15	Acushnet				
		103:2-4	Acushnet				
		103:11-24	Acushnet	Includes an objection			
		104:1-24	Acushnet				
		105:4-8	Acushnet				
		105:10-24	Acushnet				
		106:1	Acushnet				
		106:4-23	Acushnet				
		110:22-24	Acushnet	602			
		111:1-8	Acushnet	602			
		116:24	Acushnet				
		117:1-24	Acushnet				
		118:1-24	Acushnet				
		119:1	Acushnet				
		119:4-24	Acushnet				
		120:1-24	Acushnet	602			
		121:1-16	Acushnet	602, 701			
		121:18-24	Acushnet				
		122:1-6	Acushnet				
		122:14-24	Acushnet				
		123:1-24	Acushnet				
		124:1-11	Acushnet				
		124:14-24	Acushnet				

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
4-12-07	White (cont)	125:1-4	Acushnet				
		125:7-9	Acushnet				
		125:11-24	Acushnet	402/403, 602, 701			
		126:1	Acushnet	402/403, 602, 701			
		126:4-24	Acushnet	402/403, 602, 701			
		127:1-24	Acushnet	402/403, 602, 802			
		128:1-24	Acushnet	402/403			
		129:1-21	Acushnet	402/403			
		130:8-24	Acushnet	402/403			
		131:1-12	Acushnet	402/403, 602			
		131:15-24	Acushnet	402/403, 602			
		132:1-24	Acushnet	402/403, 602			
		133:1-13	Acushnet	402/403, 602			
		133:16-24	Acushnet	402/403, 602			
		134:1-23	Acushnet	402/403, 602			
		135:1-17	Acushnet	402/403, 602			
		137:7-24	Acushnet	402/403			
		138:1-24	Acushnet	402/403			
		139:1-24	Acushnet	402/403			
		140:1-10	Acushnet	402/403			
		143:10-15	Acushnet	106			
		146:24	Acushnet				
		147:1-24	Acushnet				
		148:1-6	Acushnet				
		148:18-24	Acushnet	106			
		149:1-7	Acushnet	402/403, 602			
		149:10-17	Acushnet	402/403, 602			
		153:18-24	Acushnet				
		154:1-13	Acushnet				
		159:14-22	Acushnet	402/403			
		159:24	Acushnet	402/403			
		160:1-5	Acushnet	402/403			
		160:6-19	Acushnet	402/403			
		161:3-13	Acushnet	402/403			
		162:12-21	Acushnet	402/403			
		163:6-24	Acushnet	402/403			
		164:1-23	Acushnet	402/403			
		166:12-24	Acushnet	402/403			
		167:1-9	Acushnet	402/403			
		167:22-24	Acushnet	402/403			
		168:1-5	Acushnet	402/403			
		169:22-24	Acushnet	402/403			
		170:1-24	Acushnet	402/403			
		171:1-18	Acushnet	402/403, 602			
		171:21-24	Acushnet	402/403, 602			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
4-12-07	White (cont)	172:1-18	Acushnet	402/403, 602			
		173:21-24	Acushnet				
		174:7-16	Acushnet				
		175:4-24	Acushnet	402/403, 602			
		176:1-24	Acushnet	402/403, 602			
		177:1	Acushnet	402/403, 602			
		177:20-24	Acushnet	402/403, 602			
		178:1-16	Acushnet	402/403, 602			
		178:23-24	Acushnet				
		179:1-24	Acushnet				
		180:1-24	Acushnet				
		181:1-9	Acushnet				
		182:21-23	Acushnet				
		185:6-24	Acushnet				
		186:1-13	Acushnet				
		187:3-24	Acushnet				
		188:1-11	Acushnet	402/403, 602			
		188:14-18	Acushnet	402/403, 602			
		190:1-18	Acushnet				
		194:2-24	Acushnet	402/403			
		195:1-24	Acushnet	402/403			
		196:1-24	Acushnet	402/403			
		197:1-24	Acushnet	402/403			
		198:1-24	Acushnet	402/403, 602			
		199:1-22	Acushnet				
		200:18-24	Acushnet				
		201:1-24	Acushnet				
		203:12-18	Acushnet				
		203:24	Acushnet				
		204:1-8	Acushnet				
		204:11-24	Acushnet				
		205:1	Acushnet				
		206:11-24	Acushnet				
		207:1-24	Acushnet				
		208:1-24	Acushnet				
		209:1-5	Acushnet				
		209:17-24	Acushnet	402/403, 602			
		210:1-2	Acushnet	402/403, 602			
		210:15-24	Acushnet	402/403, 602			
		211:1-3	Acushnet	402/403, 602			
		211:19-21	Acushnet				
		212:18-24	Acushnet				
		213:1-11	Acushnet				
		214:6-24	Acushnet				
		215:1-24	Acushnet				
		216:1	Acushnet				
		218:10-24	Acushnet	402/403, 602			
		219:1-11	Acushnet	402/403, 602			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
4-12-07	White (cont)	220:17-21	Acushnet	402/403, 602			
		221:4-22	Acushnet	402/403, 602			
		222:6-22	Acushnet				
		225:18-23	Acushnet				
		226:6-24	Acushnet				
		228:14-24	Acushnet				
		229:9-16	Acushnet				
		229:18-24	Acushnet	106			
		239:7-24	Acushnet	402/403, 802, 602			
		240:1-9	Acushnet				
		241:2-23	Acushnet				
		242:17-22	Acushnet	402/403, 802, 602			
		243:5-24	Acushnet	402/403, 802, 602			
		244:1-14	Acushnet				
		246:11-24	Acushnet				
		247:1-9	Acushnet				
		247:13-24	Acushnet				
		248:1-24	Acushnet				
		249:1-24	Acushnet				
		250:6-16	Acushnet				
		251:15-24	Acushnet				
		252:1-6	Acushnet				
		254:23-24	Acushnet				
		255:1-6	Acushnet				
		256:4-5	Acushnet				
		256:14-24	Acushnet				
		257:1-6	Acushnet	106			
		258:3-18	Acushnet				
		262:10-24	Acushnet				
		263:22-24	Acushnet				
		264:1-9	Acushnet				
4-13-07	Mike Catania	9:7-8	Acushnet		30:7-16	Callaway	
		9:17-22	Acushnet		48:21	Callaway	
		16:14-24	Acushnet		53:10-11	Callaway	
		17:1-4	Acushnet		67:14-24	Callaway	
		20:14-18	Acushnet		82:18-20	Callaway	
		24:23-24	Acushnet		82:21-22	Callaway	
		25:1-24	Acushnet		95:12-13	Callaway	
		26:1-8	Acushnet		95:19-96:1	Callaway	
		30:17-24	Acushnet	106 (add 30:7-16)	97:3-98:8	Callaway	
		31:1-24	Acushnet	106 (add 30:7-16)	119:24	Callaway	
		32:1-24	Acushnet		146:1-14	Callaway	

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
4-13-07	Catania (cont)	43:16-21	Acushnet		149:24	Callaway	
		44:4-24	Acushnet		154:4-8	Callaway	
		45:1-11	Acushnet		189:15-23	Callaway	
		45:16-24	Acushnet		196:9-197:5	Callaway	
		46:1-24	Acushnet		208:4-7, 16	Callaway	
		47:1-5	Acushnet		221:21-24	Callaway	
		47:24	Acushnet		223:7-15	Callaway	
		48:1-17	Acushnet		223:19-224:4	Callaway	
		48:22-24	Acushnet	106 (add 48:21)	230:4-7	Callaway	
		49:1-5	Acushnet		238:20-24	Callaway	
		49:7-22	Acushnet		242:16-23	Callaway	
		50:5-24	Acushnet				
		51:1-19	Acushnet				
		52:18-22	Acushnet				
		53:1-9	Acushnet	106 (add 53:10-11)			
		53:12-16	Acushnet				
		54:3-24	Acushnet				
		56:21-24	Acushnet				
		57:1-24	Acushnet				
		58:1-15	Acushnet	408			
		59:5-21	Acushnet	408			
		60:9-24	Acushnet	408			
		61:1-21	Acushnet	408			
		62:3-5	Acushnet	408			
		66:4-24	Acushnet	408, 802, 106 (add 67:14-24)			
		67:1-2	Acushnet	408, 802, 106 (add 67:14-24)			
		72:7-22	Acushnet	408			
		73:15-23	Acushnet	408			
		75:19-24	Acushnet	408			
		76:1-22	Acushnet	408			
		82:6-17	Acushnet	408, 602, 802, 106 (add 82:18-20)			
		83:2-16	Acushnet	408, 602, 802, 106 (add 82:21-22)			
		83:20-24	Acushnet				
		84:1-3	Acushnet				
		89:23-24	Acushnet				
		90:1-11	Acushnet				
		91:3-20	Acushnet				
		91:23-24	Acushnet				
		92:1-7	Acushnet				
		92:10-14	Acushnet	402, 403, 408, 501, 802			
		93:1-24	Acushnet	402, 403			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
4-13-07	Catania (cont)	94:1-16	Acushnet	402, 403, 802			
		94:22-24	Acushnet	106 (add 95:12-13)			
		95:1	Acushnet	106 (add 95:12-13)			
		95:14-18	Acushnet	106 (add 95:12-13, 95:19-96:1)			
		96:2-4	Acushnet				
		96:8-15	Acushnet	402, 403, 501			
		96:19-24	Acushnet	602, 106 (add 97:3-98:8)			
		97:1-2	Acushnet	602, 106 (add 97:3-98:8)			
		99:20-24	Acushnet	602			
		100:1-4	Acushnet	602			
		104:23-24	Acushnet				
		105:1-24	Acushnet	602, 802, 1002			
		106:1-7	Acushnet				
		107:11-13	Acushnet				
		114:19-23	Acushnet	402, 403			
		115:6-9	Acushnet	402, 403			
		115:13-23	Acushnet	402, 403			
		116:22-24	Acushnet	402, 403			
		117:1-6	Acushnet	402, 403			
		117:11-13	Acushnet	402, 403			
		119:9-22	Acushnet	402, 403			
		120:1-4	Acushnet	402, 403, 106 (add 119:24)			
		120:8-23	Acushnet	402, 403			
		121:15-24	Acushnet	602, 802, 1002			
		122:1-2	Acushnet	602, 802, 1002			
		126:4-17	Acushnet	402, 403			
		126:20-24	Acushnet	402, 403			
		127:1-3	Acushnet	402, 403			
		127:5-13	Acushnet	402, 403			
		127:15-24	Acushnet	402, 403			
		128:1-24	Acushnet	402, 403, 501, 802			
		129:1-6	Acushnet	402, 403, 501, 802			
		129:10-20	Acushnet	402, 403, 501, 802			
		130:4-22	Acushnet	402, 403, 802			
		131:1-2	Acushnet	402, 403, 802			
		131:4-5	Acushnet	402, 403			
		131:10-22	Acushnet	402, 403			
		132:1-15	Acushnet	402, 403			
		132:18-24	Acushnet	402, 403			
		133:1-7	Acushnet	402, 403			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
4-13-07	Catania (cont)	133:10-11	Acushnet	402, 403			
		133:16-24	Acushnet	402, 403			
		134:1-13	Acushnet	402, 403, 602, 802			
		145:8-9	Acushnet	402, 403, 602, 802, 1002			
		145:14-24	Acushnet	402, 403, 602, 802, 1002, 106 (add 146:1-14)			
		150:1-3	Acushnet	402, 403, 106 (add 149:24)			
		150:6-14	Acushnet	402, 403, 602, 802, 1002			
		153:18-24	Acushnet	402, 403, 602, 802, 1002			
		154:1-3	Acushnet	402, 403, 602, 802, 1002, 106 (add 154:4-8)			
		154:9-24	Acushnet	402, 403, 602, 802, 1002			
		155:1-3	Acushnet	402, 403, 602, 802, 1002			
		156:16-24	Acushnet	402, 403, 602, 802, 1002			
		157:1-24	Acushnet	402, 403, 602, 802, 1002			
		158:1-23	Acushnet	402, 403, 602, 611, 802, 1002			
		159:8-11	Acushnet	402, 403, 602, 611, 802, 1002			
		159:13-24	Acushnet	402, 403, 602, 611, 802, 1002			
		160:1-17	Acushnet	402, 403, 602, 611, 802, 1002			
		162:21-24	Acushnet	402, 403, 602, 611, 802, 1002			
		163:1-2	Acushnet	402, 403, 602, 802, 1002			
		164:15-24	Acushnet	402, 403, 602, 802, 1002			
		165:1-6	Acushnet	402, 403, 602, 802, 1002			
		174:11-24	Acushnet	402, 403, 602, 802, 1002			
		175:1-3	Acushnet	402, 403, 602, 802, 1002			
		184:6-24	Acushnet	402, 403, 602, 802, 1002			
		185:1-24	Acushnet	402, 403, 602,			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
				802, 1002			
4-13-07	Catania (cont)	186:1-24	Acushnet	402, 403, 602, 802			
		187:1-6	Acushnet	402, 403, 602, 802			
		187:10-15	Acushnet	402, 403, 602, 802			
		188:20-24	Acushnet	602, 802, 1002			
		189:1-6	Acushnet	602, 802, 1002			
		189:10-12	Acushnet	602, 802, 1002, 106 (add 189:15-23)			
		190:19-24	Acushnet	402, 403, 602, 802, 1002			
		191:1-24	Acushnet	402, 403, 602, 802, 1002			
		192:14-24	Acushnet	402, 403, 602, 611, 802, 1002			
		193:1-9	Acushnet	402, 403, 602, 611, 802, 1002			
		193:19	Acushnet	402, 403, 602, 611, 802, 1002			
		193:22-23	Acushnet	402, 403, 602, 611, 802, 1002			
		195:6-8	Acushnet	402, 403, 602, 611, 802, 1002			
		195:15-24	Acushnet	402, 403, 602, 611, 802, 1002			
		196:1-4	Acushnet	402, 403, 602, 611, 802, 1002			
		197:6-10	Acushnet	402, 403, 602, 611, 802, 1002, 106 (add 196:9-197:5)			
		198:15-21	Acushnet	402, 403, 602, 611, 802, 1002			
		202:14-24	Acushnet	402, 403, 408, 602, 802, 1002			
		203:1-4	Acushnet	402, 403, 408, 602, 802, 1002			
		203:16-24	Acushnet	402, 403, 408, 602, 802, 1002			
		204:1-8	Acushnet	402, 403, 408, 602, 802, 1002			
		204:21-24	Acushnet	402, 403, 408, 602, 802, 1002			
		205:1-24	Acushnet	402, 403, 408, 602, 802, 1002			
		206:1-7	Acushnet	402, 403, 408,			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
				602, 802,1002			
4-13-07	Catania (cont)	206:15-24	Acushnet	402, 403, 408, 602, 802,1002			
		207:1-24	Acushnet	402, 403, 408, 602, 802,1002			
		208:1-24	Acushnet	402, 403, 408, 501, 602, 802,1002 (also overlaps following two entries)			
		208:1-3	Acushnet	402, 403, 408, 602, 802,1002, 106 (add 208:4- 7, 16)			
		208:18-24	Acushnet	402, 403, 408, 602, 802,1002			
		209:1-10	Acushnet	402, 403, 408, 602, 802,1002			
		209:12-24	Acushnet	402, 403, 408, 602, 802,1002			
		210:1-24	Acushnet	402, 403, 408, 501, 602, 802,1002			
		211:1-4	Acushnet	402, 403, 408, 501, 602, 802,1002			
		212:9-22	Acushnet	402, 403, 408, 501, 602, 802,1002			
		213:1-4	Acushnet	402, 403, 408, 602, 802,1002			
		213:23-24	Acushnet	402, 403, 408, 602, 802,1002			
		214:1-2	Acushnet	402, 403, 408, 602, 802,1002			
		215:2-24	Acushnet	402, 403, 408, 602, 802,1002			
		216:1	Acushnet	402, 403, 408, 602, 802,1002			
		217:8-24	Acushnet	402, 403, 408, 602, 802,1002			
		218:1-11	Acushnet	402, 403, 408, 602, 802,1002			
		218:19-23	Acushnet	402, 403, 408, 602, 802,1002			
		219:2-24	Acushnet	402, 403, 408, 602, 802,1002			
		220:1-4	Acushnet	402, 403, 408, 602, 802,1002			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
4-13-07	Catania (cont)	220:15-19	Acushnet	402, 403, 408, 602, 802,1002			
		221:3-20	Acushnet	402, 403, 408, 602, 802,1002, 106 (add 221:21- 24)			
		222:1-24	Acushnet	402, 403, 408, 602, 802,1002			
		223:1-6	Acushnet	402, 403, 408, 602, 802,1002, 106 (add 223:7- 15, 223:19- 224:4)			
		224:8-12	Acushnet	402, 403, 408, 602, 802,1002			
		224:23-24	Acushnet	402, 403, 408, 602, 802,1002			
		225:1-4	Acushnet	402, 403, 408, 602, 802,1002			
		225:7-24	Acushnet	402, 403, 408, 602, 802,1002			
		226:1-15	Acushnet	402, 403, 408, 602, 802,1002			
		227:24	Acushnet	402, 403, 408, 602, 802,1002			
		228:1-3	Acushnet	402, 403, 408, 602, 802,1002			
		228:6-12	Acushnet	402, 403, 408, 602, 802,1002			
		228:21-24	Acushnet	402, 403, 408, 602, 802,1002			
		229:1-10	Acushnet	402, 403, 408, 602, 802,1002			
		229:12-18	Acushnet	402, 403, 408, 602, 802,1002			
		230:10-24	Acushnet	402, 403, 408, 602, 802,1002, 106 (add 230:4- 7)			
		231:1-24	Acushnet	402, 403, 408, 602, 802,1002			
		232:1-24	Acushnet	402, 403, 408, 602, 802,1002			
		233:1-14	Acushnet	402, 403, 408, 602, 802,1002			
		233:21-24	Acushnet	402, 403, 408, 602, 802,1002			
		234:1-24	Acushnet	402, 403, 408, 501, 602, 802,1002			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
4-13-07	Catania (cont)	235:1-21	Acushnet	402, 403, 408, 501, 602, 802,1002			
		238:4-19	Acushnet	402, 403, 408, 602, 802,1002			
		239:1-8	Acushnet	402, 403, 408, 602, 802,1002, 106 (add 238:20-24)			
		241:19-24	Acushnet	402, 403, 408, 602, 802,1002			
		242:1-8	Acushnet	402, 403, 802, 106 (add 242:16-23)			
		242:24	Acushnet	402, 403, 802			
		243:1-11	Acushnet	402, 403, 408, 602, 802,1002			
		243:13	Acushnet	402, 403, 408, 602, 802,1002			
4-18-07	Michael J. Rider	6:6-24	Acushnet		10:19-23	Callaway	
		7:1-20	Acushnet		32:22-24	Callaway	
		8:21-24	Acushnet		33:1-3	Callaway	
		9:1-13	Acushnet		37:21-24	Callaway	
		9:15-24	Acushnet		40:22-42:3	Callaway	
		10:1-10	Acushnet	106	58:21-24	Callaway	
		11:3-24	Acushnet		59:1-8	Callaway	
		12:1-9	Acushnet		62:19-21	Callaway	
		12:16-24	Acushnet		63:14-17	Callaway	
		13:1-20	Acushnet		64:1-14	Callaway	
		26:20-23	Acushnet		67:10-17	Callaway	
		27:13-24	Acushnet		80:16-24	Callaway	
		28:1-24	Acushnet		81:1-5	Callaway	
		29:1-24	Acushnet		83:2-7; 83:21-24	Callaway	
		30:1-24	Acushnet		84:1-11	Callaway	
		31:1-9	Acushnet		85:22-86:1; 86:5-7; 86:14-19	Callaway	
		31:15-24	Acushnet		87:24-88:3	Callaway	
		32:1-21	Acushnet	106	91:5-92:7	Callaway	
		33:11-13	Acushnet	106	95:11-13	Callaway	
		33:15-24	Acushnet		99:12-100:8	Callaway	
		34:7-21	Acushnet	403; 408; 802	104:11-13; 108:23-109:5	Callaway	
		36:22-24	Acushnet	403; 408; 802	112:8-11	Callaway	
		37:1-18	Acushnet	106; 403; 408; 802	120:24-121:5	Callaway	
		38:19-24	Acushnet	403; 408; 802	129:11-17	Callaway	
		39:1-2	Acushnet	106; 403; 408;			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
				802			
4-18-07	Rider (cont)	52:22-24	Acushnet	403; 408; 802			
		53:1-24	Acushnet	403; 408; 802			
		54:1-24	Acushnet	403; 602; 802			
		55:1-24	Acushnet	402; 403; 408; 802			
		56:1-11	Acushnet	402; 403; 408; 802			
		56:13-24	Acushnet	402;			
		57:1-24	Acushnet	402			
		58:1-8	Acushnet	106; 402			
		59:9-24	Acushnet	106; 402			
		60:1-24	Acushnet	402			
		61:1-11	Acushnet	402			
		62:8-18	Acushnet	106; 402			
		62:22-24	Acushnet	402			
		63:1	Acushnet	106; 402			
		63:18-24	Acushnet	106; 402			
		66:16-24	Acushnet	402			
		67:1-9	Acushnet	106; 402			
		68:2-9	Acushnet	402			
		68:18-24	Acushnet	403; 408; 802			
		69:1-24	Acushnet	403; 408; 802			
		70:1-24	Acushnet	403; 408; 802			
		71:1-12	Acushnet	403; 408; 802			
		72:19-24	Acushnet	403; 408; 802			
		73:1	Acushnet	403; 408; 802			
		73:15-20	Acushnet	403; 408; 802			
		77:3-17	Acushnet	403; 408; 802			
		78:4-24	Acushnet	403; 408; 802			
		79:1-6	Acushnet	403; 408; 802			
		79:8-24	Acushnet	403; 408; 802			
		80:1-15	Acushnet	106; 403; 408; 802			
		81:7-24	Acushnet	106; 403; 408; 802			
		82:1-16	Acushnet	403; 408; 802			
		83:8-19	Acushnet	106; 403; 408; 802			
		84:16-24	Acushnet	106; 403; 408; 802			
		85:1-2	Acushnet	403; 408; 802			
		85:8-18	Acushnet	106; 403; 408; 802			
		87:18-23	Acushnet	106; 403; 408; 802			
		88:4-21	Acushnet	403; 408; 802			
		88:23-24	Acushnet	403; 408; 802			
		89:1-2	Acushnet	403; 408; 802			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
4-18-07	Rider (cont)	89:7-20	Acushnet	106; 403; 408; 802			
		93:7-24	Acushnet	403; 408; 802			
		94:1:17	Acushnet	403; 408; 802			
		94:21-24	Acushnet	403; 408; 802			
		95:1-9	Acushnet	106; 403; 408; 802			
		96:6-24	Acushnet	403; 408; 802			
		97:1-24	Acushnet	403; 408; 802			
		98:1-23	Acushnet	403; 408; 802			
		99:9-11	Acushnet	106; 403; 408; 802			
		101:14-24	Acushnet	403; 408; 802			
		102:1-9	Acushnet	403; 408; 802			
		102:24	Acushnet	403; 408; 802			
		103:1-24	Acushnet	403; 408; 802			
		104:1-3	Acushnet	106; 403; 408; 802			
		111:2-24	Acushnet	402; 403			
		112:1-7	Acushnet	106; 402; 403			
		113:13-19	Acushnet	402; 403			
		116:21-24	Acushnet	402; 403			
		117:1-22	Acushnet	402; 403			
		118:12-24	Acushnet	403			
		119:1-4	Acushnet	403			
		119:12-24	Acushnet	403			
		120:1-23	Acushnet	106; 403; 602			
		126:7-24	Acushnet				
		127:1-24	Acushnet	403; 602			
		128:1-5	Acushnet	403; 602			
		128:10-24	Acushnet				
		129:1-5	Acushnet	106			
		132:19-24	Acushnet				
5-8-07	Michael Yagley	12:20-22	Acushnet	106; 402	10:8-14	Callaway	
		13:1-13	Acushnet	402	(Delete 16:18)	Callaway	
		14:20-22	Acushnet		37:8-12	Callaway	
		15:1-22	Acushnet		42:2-7; 42:11-15	Callaway	
		16:1-18	Acushnet	402; 403	(Delete 57:6-9)	Callaway	
		17:11-14	Acushnet		79:6-22	Callaway	
		19:7-22	Acushnet		80:1-10	Callaway	
		20:1-22	Acushnet		91:19	Callaway	
		21:1-22	Acushnet		106:16-22	Callaway	
		22:1-22	Acushnet		107:1-8; 112:13-15	Callaway	
		23:1-22	Acushnet		117:14-18; 118:20-	Callaway	

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
					119:3		
5-8-07	Yagley (cont)	24:1-22	Acushnet		152:11-16	Callaway	
		25:1-9	Acushnet		156:22-157:16	Callaway	
		27:2-12	Acushnet		159:10-16	Callaway	
		27:20-22	Acushnet		181:18-22	Callaway	
		28:1-8	Acushnet		184:3-5	Callaway	
		33:6-22	Acushnet		185:14-16	Callaway	
		34:1-22	Acushnet		189:10-13	Callaway	
		35:1-22	Acushnet		190:18-21	Callaway	
		36:1-22	Acushnet		215:18-216:3	Callaway	
		37:1-12	Acushnet	106	217:10-15	Callaway	
		39:1-22	Acushnet		219:11-13; 220:3-18		
		40:1-22	Acushnet		243:14-244:7	Callaway	
		41:1-18	Acushnet		264:19-20	Callaway	
		42:16-22	Acushnet	106	271:2-3	Callaway	
		43:1-4	Acushnet		274:10	Callaway	
		43:6-21	Acushnet		274:22-275:4	Callaway	
		44:1-22	Acushnet		281:20-282:2	Callaway	
		45:1-10	Acushnet		282:20-283:19	Callaway	
		45:21-22	Acushnet		301:20-22	Callaway	
		46:1-11	Acushnet		310:13-15	Callaway	
		48:11-22	Acushnet		316:9-13	Callaway	
		49:1-7	Acushnet		325:6-14	Callaway	
		55:3-8	Acushnet		347:19-349:5	Callaway	
		55:21-22	Acushnet		351:9-13	Callaway	
		56:1-9	Acushnet		368:8-13	Callaway	
		56:16-22	Acushnet		369:14-17	Callaway	
		57:1-9	Acushnet	402; 403	394:13-17	Callaway	
		57:18-22	Acushnet		432:18-19	Callaway	
		58:1-22	Acushnet		434:16-435:15	Callaway	
		59:1-17	Acushnet		436:13-437:5	Callaway	
		61:13-22	Acushnet		454:11	Callaway	
		62:1-12	Acushnet		468:4-14	Callaway	
		63:1-22	Acushnet		469:9-13	Callaway	
		64:1-22	Acushnet	402; 403; 602			
		65:1-22	Acushnet				
		66:1-22	Acushnet				
		67:1-17	Acushnet				
		68:1-22	Acushnet				
		69:1-5	Acushnet				
		69:9-22	Acushnet				
		70:1-22	Acushnet				
		71:1-16	Acushnet	402; 403			
		72:1-22	Acushnet				
		73:1-22	Acushnet				
		74:1-22	Acushnet				
		75:1-20	Acushnet				

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
5-8-07	Yagley (cont)	76:2-22	Acushnet				
		77:1-22	Acushnet				
		78:1-2	Acushnet				
		78:17-22	Acushnet				
		79:1-5	Acushnet	106			
		80:11-22	Acushnet	106			
		81:1-7	Acushnet				
		82:6-14	Acushnet				
		83:22	Acushnet	403; 402			
		84:1-3	Acushnet	403; 402			
		84:6-12	Acushnet	402; 403			
		84:15-22	Acushnet	403; 602			
		85:1-22	Acushnet	403; 602			
		86:1-15	Acushnet				
		88:13-22	Acushnet				
		89:1-5	Acushnet				
		89:10-22	Acushnet				
		90:1-19	Acushnet				
		91:7-18	Acushnet	106			
		92:2-22	Acushnet				
		93:1-10	Acushnet				
		94:10-22	Acushnet				
		95:1-22	Acushnet				
		96:1-22	Acushnet				
		97:1-3	Acushnet				
		97:5-22	Acushnet				
		98:1-3	Acushnet				
		98:5-13	Acushnet				
		98:17-18	Acushnet				
		98:20-21	Acushnet				
		99:2-12	Acushnet				
		100:3-13	Acushnet				
		100:17-22	Acushnet				
		101:1-22	Acushnet				
		102:1-10	Acushnet				
		102:14-22	Acushnet				
		103:1-6	Acushnet				
		104:7-19	Acushnet				
		105:3-22	Acushnet	402; 602; 802			
		106:1-9	Acushnet	106			
		107:9-20	Acushnet	106			
		107:22	Acushnet				
		108:1-18	Acushnet				
		108:21-22	Acushnet				
		109:1-14	Acushnet				
		111:4-6	Acushnet	402; 602			
		111:8-22	Acushnet	402; 602			
		112:1-12	Acushnet	402; 602			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
5-8-07	Yagley (cont)	112:16-19	Acushnet	402; 602			
		114:10-16	Acushnet	402			
		116:5-12	Acushnet	402			
		117:3-13	Acushnet	106; 402			
		120:4-12	Acushnet	602; 802;403; 701			
		122:11-22	Acushnet	403; 602; 802			
		123:1-6	Acushnet	403; 602			
		126:13-18	Acushnet	402			
		127:5-15	Acushnet	402; 602			
		128:1-22	Acushnet	402; 602			
		129:21-22	Acushnet	402; 602			
		130:1-6	Acushnet	402			
		132:10-22	Acushnet	402;			
		133:8-22	Acushnet				
		134:1-8	Acushnet				
		135:19-22	Acushnet				
		136:1-6	Acushnet				
		136:9-22	Acushnet	402			
		137:1-22	Acushnet	402			
		138:1-15	Acushnet	402; 602			
		139:12-16	Acushnet	402; 602			
		140:7-9	Acushnet	402; 602			
		140:12-15	Acushnet	402; 602			
		144:21-22	Acushnet				
		145:1-19	Acushnet	402			
		146:5-22	Acushnet	402			
		147:1-15	Acushnet	402			
		147:19-22	Acushnet	402			
		148:1-22	Acushnet	402			
		149:1-2	Acushnet	402			
		149:10-22	Acushnet	402			
		150:1-18	Acushnet	402			
		151:11-22	Acushnet	402; 403; 602			
		152:1-10	Acushnet	402; 403; 602; 106			
		153:1-14	Acushnet				
		154:5-22	Acushnet	402; 403; 602; 802			
		155:1	Acushnet	402; 403; 602; 802			
		155:15-22	Acushnet				
		156:1-5	Acushnet	106; 402; 403;802			
		157:18-22	Acushnet	402; 403; 802			
		158:1-22	Acushnet	402; 403; 802			
		159:1-9	Acushnet	502; 403; 802; 106			
		161:1-22	Acushnet	402; 403			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
5-8-07	Yagley (cont)	162:1-22	Acushnet	402; 403			
		163:1-20	Acushnet				
		164:1-7	Acushnet	402			
		164:20-22	Acushnet	402			
		165:1-22	Acushnet	402, 403			
		166:1-22	Acushnet	402; 403			
		167:1-22	Acushnet	402; 403			
		168:1-6	Acushnet	402; 403			
		169:16-22	Acushnet	402; 403			
		170:1-22	Acushnet				
		171:1-22	Acushnet				
		172:1-22	Acushnet				
		173:1-22	Acushnet				
		174:1-22	Acushnet				
		175:1-22	Acushnet				
		176:1-22	Acushnet				
		177:4-22	Acushnet				
		178:1-22	Acushnet				
		179:1-22	Acushnet				
		180:1-22	Acushnet				
		181:1-3	Acushnet	106			
		182:1-3	Acushnet	402; 403			
		182:6-22	Acushnet	402; 403			
		183:1-22	Acushnet	402; 403			
		184:1-2	Acushnet	402; 403; 106			
		184:6-9	Acushnet	402; 403; 602			
		184:10-16	Acushnet				
		184:20-22	Acushnet				
		185:1-13	Acushnet	106			
		185:22	Acushnet				
		186:1-22	Acushnet	402; 403; 602; 802			
		187:1-22	Acushnet	402; 403; 602; 802			
		188:1-11	Acushnet	402; 403; 802			
		188:19-22	Acushnet	402; 403; 602			
		189:1	Acushnet				
		189:6-8	Acushnet	402; 403; 602; 106			
		189:14-21	Acushnet				
		190:7-17	Acushnet	402; 403; 602; 106			
		191:18-22	Acushnet				
		192:1-13	Acushnet				
		194:1-11	Acushnet	402; 403; 602			
		194:16-19	Acushnet	402; 403; 602			
		200:6-22	Acushnet				
		201:1-22	Acushnet	402; 403			
		202:1-3	Acushnet	402; 403			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
5-8-07	Yagley (cont)	202:8-22	Acushnet	402; 403			
		203:1-22	Acushnet	402; 403; 802			
		204:1-12	Acushnet	402; 403; 802			
		205:18-22	Acushnet	402; 403; 802			
		206:1-22	Acushnet	402; 403; 802			
		207:1-17	Acushnet				
		207:20-22	Acushnet	602; 802			
		208:1-22	Acushnet	602; 802			
		209:1-22	Acushnet				
		210:1-18	Acushnet	402; 403			
		210:22	Acushnet				
		211:1-10	Acushnet	402; 403			
		211:19-22	Acushnet	402; 403			
		212:1-5	Acushnet	402; 403			
		212:12-22	Acushnet	402; 403			
		213:1-9	Acushnet	402; 403			
		213:15-22	Acushnet				
		214:1-12	Acushnet				
		217:3-9	Acushnet	106			
		217:18-22	Acushnet				
		218:1-22	Acushnet				
		219:1	Acushnet	106			
		221:6-10	Acushnet				
		221:14-22	Acushnet	602; 802			
		222:1-22	Acushnet	602; 802			
		223:1-22	Acushnet				
		224:1-4	Acushnet				
		224:9-22	Acushnet				
		225:1-22	Acushnet				
		226:1-22	Acushnet				
		227:1-22	Acushnet				
		228:1-22	Acushnet	802; 602			
		229:1-17	Acushnet	602; 802			
		229:20-22	Acushnet				
		230:1-10	Acushnet	602; 802			
		230:16-19	Acushnet				
		231:10-22	Acushnet	602; 802			
		232:1-22	Acushnet				
		233:1-22	Acushnet				
		234:1-22	Acushnet				
		235:1-22	Acushnet				
		236:1-15	Acushnet				
		236:20-22	Acushnet				
		237:1-22	Acushnet	602			
		238:1-22	Acushnet	802			
		239:1-13	Acushnet	802			
		239:19-22	Acushnet				
		240:1-15	Acushnet	802			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
5-8-07	Yagley (cont)	241:11-22	Acushnet				
		242:1-22	Acushnet				
		243:1-9	Acushnet				
		245:6-10	Acushnet				
		245:15-22	Acushnet				
		246:1-22	Acushnet	602; 802			
		247:1-22	Acushnet	802			
		248:1	Acushnet	802			
		248:5-16	Acushnet				
		250:20-22	Acushnet				
		251:1-17	Acushnet				
		252:5-20	Acushnet	802			
		253:7-22	Acushnet	802			
		254:1-6	Acushnet	802			
		254:9-22	Acushnet	402; 403			
		255:1-22	Acushnet	402; 403			
		256:13-22	Acushnet				
		257:1-5	Acushnet				
		257:17-22	Acushnet				
		258:1-2	Acushnet	402; 403; 602; 802			
		258:7-22	Acushnet	402; 403; 602; 802			
		259:1-3	Acushnet	402; 403; 602; 802			
		259:12-18	Acushnet				
		260:4-15	Acushnet				
		261:5-22	Acushnet				
		262:1-22	Acushnet	402; 403; 802			
		263:1-19	Acushnet	802			
		263:22	Acushnet				
		264:1-18	Acushnet	106			
		265:9-22	Acushnet	602			
		266:1-22	Acushnet	802			
		267:1-22	Acushnet	802			
		268:1-22	Acushnet				
		269:1	Acushnet				
		269:12-18	Acushnet				
		269:21-22	Acushnet				
		270:1	Acushnet				
		270:6-22	Acushnet	602; 802			
		271:1	Acushnet	602; 106			
		271:4-22	Acushnet	403; 802; 602			
		272:1-12	Acushnet				
		272:15-22	Acushnet				
		273:1-2	Acushnet				
		273:12-20	Acushnet				
		274:7-8	Acushnet	106			
		274:13-19	Acushnet	106			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
5-8-07	Yagley (cont)	275:5-7	Acushnet				
		275:13-22	Acushnet				
		276:4-22	Acushnet	402; 403			
		277:1-7	Acushnet	802			
		277:13-19	Acushnet	402; 403; 802			
		278:3-22	Acushnet	402; 403; 802			
		279:1-3	Acushnet	402; 403			
		279:8-22	Acushnet				
		280:1-21	Acushnet				
		281:12-19	Acushnet	106; 403; 802			
		282:3-11	Acushnet				
		283:21-22	Acushnet				
		284:1-22	Acushnet	802			
		285:1-13	Acushnet				
		286:3-18	Acushnet				
		287:21-22	Acushnet				
		288:1-22	Acushnet				
		289:1-19	Acushnet				
		290:14-22	Acushnet				
		291:1-8	Acushnet				
		296:4-22	Acushnet				
		297:1-22	Acushnet				
		298:1-5	Acushnet				
		298:11-22	Acushnet				
		299:1-22	Acushnet				
		300:1-11	Acushnet				
		300:15-22	Acushnet				
		301:1-19	Acushnet	106			
		302:16-22	Acushnet				
		303:1-22	Acushnet	402; 403; 802			
		304:1-6	Acushnet	402; 403; 802			
		305:2-10	Acushnet				
		305:18-21	Acushnet				
		306:2-22	Acushnet				
		307:2-22	Acushnet				
		308:1-22	Acushnet				
		309:1-20	Acushnet				
		309:22	Acushnet				
		310:1-11	Acushnet	106			
		311:6-22	Acushnet				
		312:1-19	Acushnet				
		313:13-22	Acushnet				
		314:1-4	Acushnet				
		314:10-13	Acushnet				
		314:20-22	Acushnet				
		315:1-22	Acushnet				
		316:1-8	Acushnet	106			
		316:21-22	Acushnet				

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
		317:1-2	Acushnet	602			
		317:4-22	Acushnet				
		318:1-2	Acushnet				
		319:4-22	Acushnet	602; 802; 402; 403			
		320:1-14	Acushnet				
		320:16-22	Acushnet				
		321:1-12	Acushnet	602; 403			
		321:22	Acushnet	602; 403			
		322:1-8	Acushnet	602; 403			
		323:14-22	Acushnet				
		324:1-15	Acushnet				
		325:19-22	Acushnet	602; 802; 403			
		326:1-22	Acushnet	403; 602; 802			
		327:1-2	Acushnet	403; 602; 802			
		328:5-15	Acushnet				
5-9-07	Michael Yagley	350:14-17	Acushnet				
		350:21-22	Acushnet				
		351:1-8	Acushnet	106			
		353:22	Acushnet				
		354:1-8	Acushnet				
		354:12-22	Acushnet				
		355:1-22	Acushnet				
		356:1-22	Acushnet				
		357:1-20	Acushnet				
		358:2-22	Acushnet				
		359:1-3	Acushnet				
		360:3-19	Acushnet	602; 802			
		361:3-14	Acushnet	602; 403; 402			
		361:17-22	Acushnet	403; 402; 602			
		362:1-22	Acushnet	402; 403			
		363:1-22	Acushnet	402; 403; 602; 701			
		364:1-20	Acushnet	402; 403; 602; 701			
		367:3-22	Acushnet				
		368:1-7	Acushnet	106; 602			
		368:14-22	Acushnet	106; 602; 802			
		369:1-2	Acushnet				
		369:5-13	Acushnet	106			
		370:2-22	Acushnet				
		371:1-22	Acushnet	402; 802			
		372:1-22	Acushnet	402; 802			
		373:1-2	Acushnet				
		373:10-22	Acushnet				
		374:1-22	Acushnet				
		375:1-8	Acushnet				
		375:11-22	Acushnet				

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
5-9-07	Yagley (cont)	376:1-14	Acushnet				
		376:17-22	Acushnet				
		377:1-4	Acushnet				
		379:5-22	Acushnet				
		380:1-22	Acushnet				
		381:1-22	Acushnet				
		382:1-22	Acushnet				
		383:1-6	Acushnet				
		384:8-19	Acushnet				
		385:2-17	Acushnet				
		387:3-21	Acushnet				
		391:9-22	Acushnet				
		392:1-4	Acushnet				
		392:6-7	Acushnet				
		392:12-22	Acushnet				
		393:1-19	Acushnet				
		394:5-12	Acushnet	106			
		394:18-21	Acushnet				
		395:14-22	Acushnet				
		396:1-22	Acushnet				
		397:10-20	Acushnet				
		397:22	Acushnet				
		398:1-22	Acushnet				
		399:1-5	Acushnet				
		400:2-16	Acushnet				
		401:5-17	Acushnet				
		402:2-19	Acushnet				
		404:2-22	Acushnet				
		405:1-22	Acushnet				
		406:1-2	Acushnet				
		407:2-22	Acushnet				
		408:1-22	Acushnet				
		409:1-22	Acushnet				
		410:1-22	Acushnet				
		411:1-22	Acushnet				
		412:1-22	Acushnet				
		413:1-22	Acushnet	602			
		414:1-20	Acushnet	602			
		415:3-22	Acushnet				
		416:1-22	Acushnet	602			
		417:1-22	Acushnet	602			
		418:1-7	Acushnet				
		418:16-22	Acushnet				
		419:1-22	Acushnet				
		420:1-22	Acushnet				
		421:1-22	Acushnet	602			
		422:3-22	Acushnet				
		423:1-13	Acushnet	602			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
5-9-07	Yagley (cont)	424:6-22	Acushnet				
		425:1-4	Acushnet				
		425:16-22	Acushnet				
		426:1-8	Acushnet				
		426:18-22	Acushnet	602			
		427:1-4	Acushnet	602			
		427:10-18	Acushnet				
		428:9-22	Acushnet				
		429:1-17	Acushnet				
		431:6-16	Acushnet	106; 402; 403			
		433:3-22	Acushnet	402; 403			
		434:1-4	Acushnet	402; 403			
		434:8-22	Acushnet	402; 403; 602; 802			
		434:1-15	Acushnet	402; 403; 602			
		436:3-12	Acushnet				
		437:6-22	Acushnet				
		438:1-5	Acushnet				
		439:4-8	Acushnet	402; 403			
		439:11-22	Acushnet	402; 403			
		440:1-2	Acushnet	402; 403			
		440:18-22	Acushnet	402; 403			
		441:1-15	Acushnet	402; 403			
		442:1-22	Acushnet	402; 403			
		443:1-3	Acushnet	402; 403			
		443:8-16	Acushnet	402; 403			
		443:20-22	Acushnet	402; 403			
		444:1-10	Acushnet	402; 403; 602			
		444:13-22	Acushnet				
		445:1-5	Acushnet				
		445:20-22	Acushnet				
		446:1-22	Acushnet				
		447:1-9	Acushnet				
		451:8-22	Acushnet				
		452:3-20	Acushnet				
		453:9-22	Acushnet				
		454:1-5	Acushnet				
		454:7-8	Acushnet	106			
		454:13-22	Acushnet				
		455:1-22	Acushnet				
		456:1-22	Acushnet				
		457:1-22	Acushnet				
		458:1-22	Acushnet				
		459:1-3	Acushnet				
		459:13-22	Acushnet				
		460:1-22	Acushnet				
		461:1-22	Acushnet				
		462:1-10	Acushnet				

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
5-9-07	Yagley (cont)	462:13-17	Acushnet				
		463:3-6	Acushnet				
		466:4-22	Acushnet				
		467:1-11	Acushnet				
		467:13-15	Acushnet	402; 403			
		469:14-22	Acushnet	402; 403			
		470:1-22	Acushnet	402; 403			
		471:1-14	Acushnet				
		472:2-21	Acushnet	402; 602			
		473:14-22	Acushnet	402; 403; 602			
		474:1-16	Acushnet	402; 403; 602			
5-8-07	Marlo Cormier	8:10-24	Acushnet	106	5:21-6:2	Callaway	
		9:1-23	Acushnet	106	12:13-19	Callaway	
		42:12-24	Acushnet		44:9-45:1; 63:4-64:1		
		43:1-23	Acushnet				
		44:2-3	Acushnet	106		Callaway	
5-11-07	Thomas J. Kennedy, III	11:12-16	Acushnet		37:6-11	Callaway	
		13:23-24	Acushnet	106; 402; 403	37:22-38:3	Callaway	
		32:10-24	Acushnet		37:9-12	Callaway	
		33:1-24	Acushnet		40:11-13	Callaway	
		34:1-24	Acushnet		40:19-41:5	Callaway	
		35:1-24	Acushnet		58:2-59:24	Callaway	
		36:1-24	Acushnet		60:5-16	Callaway	
		37:1-5	Acushnet		60:21-61:12	Callaway	
		39:13-19	Acushnet		65:14-66:17	Callaway	
		42:16-22	Acushnet	402; 403	80:12-81:3	Callaway	
		48:14-24	Acushnet		85:15-18	Callaway	
		49:1-12	Acushnet	602; 402	85:22-23	Callaway	
		51:1-24	Acushnet		86:1-24	Callaway	
		52:1-13	Acushnet		87:3-4	Callaway	
		52:24	Acushnet		91:20-94:5	Callaway	
		53:1-24	Acushnet	402; 403	96:1-13	Callaway	
		54:1-24	Acushnet	402; 403	97:1-2	Callaway	
		55:1-24	Acushnet	402; 403	100:2	Callaway	
		56:6-19	Acushnet		100:6-7	Callaway	
		57:10-24	Acushnet		101:11-102:6	Callaway	
		58:1	Acushnet		107:15-108:5	Callaway	
		60:1-4	Acushnet	403	108:16-109:1	Callaway	
		60:17-20	Acushnet		120:8-12	Callaway	
		62:1-3	Acushnet		120:15-16	Callaway	
		62:11-19	Acushnet		120:18-121:6	Callaway	
		63:11-24	Acushnet		122:4-10	Callaway	
		64:19-24	Acushnet		122:13-15	Callaway	

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
5-11-07	Kennedy (cont)	65:1-13	Acushnet		133:14-24	Callaway	
		66:18-24	Acushnet		137:2-5	Callaway	
		67:1-13	Acushnet		141:3-22	Callaway	
		67:16-24	Acushnet		146:6-20	Callaway	
		68:1-5	Acushnet		151:7-10	Callaway	
		68:9-17	Acushnet		151:13	Callaway	
		69:9-24	Acushnet		151:15-19	Callaway	
		70:1-15	Acushnet		159:3-8	Callaway	
		71:22-24	Acushnet		160:3-7	Callaway	
		72:1-17	Acushnet	402; 611	160:19-161:4	Callaway	
		73:14-24	Acushnet		162:9-163:10	Callaway	
		74:1-16	Acushnet		164:6-22	Callaway	
		75:3-12	Acushnet		178:10-179:2	Callaway	
		77:1-14	Acushnet		179:18-24	Callaway	
		81:4-24	Acushnet		181:1-24	Callaway	
		82:1-3	Acushnet		183:14-17	Callaway	
		83:2-6	Acushnet		185:9-16	Callaway	
		83:14-16	Acushnet	402; 403; 602	185:19-20	Callaway	
		84:4-14	Acushnet	602; 403; 402	185:22-186:10	Callaway	
		90:9-12	Acushnet	402; 403; 106	196:14-197:4	Callaway	
		90:15-16	Acushnet	402; 403; 106	199:17-20	Callaway	
		91:8-18	Acushnet		204:10-11	Callaway	
		95:5-13	Acushnet		205:19-23	Callaway	
		95:17-24	Acushnet		206:1-15	Callaway	
		97:8-24	Acushnet		208:4-6	Callaway	
		98:1-24	Acushnet		209:23-210:12	Callaway	
		99:1-17	Acushnet	611; 403; 402	212:4-213:10	Callaway	
		99:22-24	Acushnet	611; 403; 402	215:23-24	Callaway	
		100:1	Acushnet		222:21-22	Callaway	
		100:16-24	Acushnet		223:1-20	Callaway	
		101:1-10	Acushnet		227:21-230:1	Callaway	
		102:7-10	Acushnet	602; 611; 403	238:11	Callaway	
		102:18-24	Acushnet	602; 611; 403	246:13-24	Callaway	
		103:1-6	Acushnet		247:11-13	Callaway	
		103:20-24	Acushnet		247:17-22	Callaway	
		104:1-21	Acushnet	602	248:5-9	Callaway	
		105:12-21	Acushnet	602			
		105:23-24	Acushnet	602; 611			
		106:2-8	Acushnet				
		107:7-14	Acushnet				
		108:6-15	Acushnet				
		111:1-16	Acushnet	602; 403; 611			
		111:19-24	Acushnet	602; 403; 611			
		112:1-16	Acushnet	602			
		115:9-24	Acushnet	602; 403; 611			
		116:1-20	Acushnet	602; 403; 611			
		117:9-24	Acushnet				

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
5-11-07	Kennedy (cont)	118:1-24	Acushnet	602; 611; 402; 403			
		119:1-11	Acushnet	602; 611; 402; 403			
		119:19-23	Acushnet				
		121:7-18	Acushnet				
		121:22-24	Acushnet	611; 602; 402; 403			
		122:1-2	Acushnet	106; 402; 403			
		122:17-24	Acushnet	106; 402; 403			
		123:1-16	Acushnet	611; 402; 403			
		123:20-24	Acushnet	611; 402; 403			
		124:1-7	Acushnet	611; 402; 403			
		124:9-16	Acushnet	611; 402; 403			
		124:19-24	Acushnet	611; 402; 403			
		125:1-22	Acushnet	611; 402; 403			
		126:9-24	Acushnet	611; 402; 403			
		127:1-3	Acushnet	611; 402; 403			
		127:5	Acushnet	611; 402; 403			
		127:23-24	Acushnet	611; 402; 403			
		128:1-24	Acushnet	402; 403			
		129:1-24	Acushnet	402; 403			
		130:1-24	Acushnet	402; 403			
		131:1-18	Acushnet	402; 403			
		131:24	Acushnet	402; 403			
		132:1-4	Acushnet	611; 402; 403			
		132:11-24	Acushnet				
		133:1-13	Acushnet	611; 402; 403; 106			
		134:10-17	Acushnet	602; 611; 403			
		134:21-24	Acushnet	602; 611; 403			
		135:1-2	Acushnet	602; 611; 403			
		136:2-22	Acushnet	611; 602; 403; 402			
		136:24	Acushnet	611; 602; 403; 402			
		137:1	Acushnet	611; 602; 403; 402; 106			
		138:20-21	Acushnet	611			
		138:23-24	Acushnet	611			
		139:1-24	Acushnet				
		140:1-12	Acushnet	611			
		140:15-24	Acushnet	611			
		141:1-2	Acushnet				
		141:23-24	Acushnet				
		142:1-24	Acushnet				
		143:1-16	Acushnet				
		143:23-24	Acushnet				
		144:1-3	Acushnet	611			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
5-11-07	Kennedy (cont)	144:22-24	Acushnet	611			
		145:2-21	Acushnet	611			
		145:23-24	Acushnet	611			
		146:1-5	Acushnet				
		146:21-24	Acushnet				
		147:1-21	Acushnet	611			
		147:23-24	Acushnet				
		148:1-22	Acushnet				
		149:3-16	Acushnet				
		152:4-18	Acushnet				
		153:16-24	Acushnet				
		154:1-4	Acushnet				
		154:15-24	Acushnet				
		155:1-14	Acushnet				
		157:1-2	Acushnet	611			
		157:4-12	Acushnet	611			
		158:13-24	Acushnet				
		159:1-2	Acushnet	106; 403			
		159:9-24	Acushnet	106; 403			
		160:1-2	Acushnet	106; 403			
		160:8-18	Acushnet	106; 403			
		161:5-20	Acushnet	106; 403			
		161:22-24	Acushnet	106; 602; 611			
		162:1-4	Acushnet	106; 602; 611			
		162:6-8	Acushnet				
		165:24	Acushnet				
		166:1-4	Acushnet				
		176:2-24	Acushnet				
		177:1-24	Acushnet				
		178:1	Acushnet				
		179:6-17	Acushnet				
		180:1-24	Acushnet				
		182:1-4	Acushnet				
		182:23-24	Acushnet				
		183:1-13	Acushnet				
		183:18-24	Acushnet				
		184:1-7	Acushnet	611			
		184:9-24	Acushnet	611			
		185:1-8	Acushnet	402; 403			
		186:11-12	Acushnet	611; 402; 403			
		186:18-24	Acushnet				
		187:1-10	Acushnet	402; 403			
		187:13-24	Acushnet	402; 403			
		188:1-19	Acushnet	611; 403; 402			
		188:22-24	Acushnet	403; 402			
		189:1-14	Acushnet	611; 403; 402			
		189:16-24	Acushnet	611; 403; 402			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
5-11-07	Kennedy (cont)	190:1-5	Acushnet				
		190:13-24	Acushnet				
		191:1	Acushnet				
		192:15-20	Acushnet				
		192:22-24	Acushnet				
		194:3-24	Acushnet				
		195:1-2	Acushnet				
		195:11-24	Acushnet				
		196:1-13	Acushnet				
		197:5-24	Acushnet				
		198:1-18	Acushnet				
		199:11-16	Acushnet	106			
		199:21-24	Acushnet				
		200:1-24	Acushnet				
		201:1-3	Acushnet				
		203:21-24	Acushnet				
		204:1-9	Acushnet	106; 402; 403; 802			
		204:12-24	Acushnet	402; 403; 802			
		205:1-18	Acushnet	402; 403; 802			
		207:16-24	Acushnet				
		208:1-3	Acushnet	802; 602			
		208:7-24	Acushnet	802; 602			
		209:1-22	Acushnet	802; 602			
		213:17-24	Acushnet				
		214:1-24	Acushnet	802			
		215:1-22	Acushnet	802			
		216:1-5	Acushnet				
		217:11-24	Acushnet				
		218:1-7	Acushnet				
		218:13-22	Acushnet				
		219:3-24	Acushnet				
		220:1-12	Acushnet				
		220:16-24	Acushnet				
		221:1-24	Acushnet				
		222:1-20	Acushnet				
		223:23-24	Acushnet				
		224:1-24	Acushnet				
		225:1	Acushnet				
		225:3-16	Acushnet				
		226:6-19	Acushnet				
		230:6-18	Acushnet				
		231:4-24	Acushnet	802			
		232:1-7	Acushnet				
		232:21-24	Acushnet				
		233:1-24	Acushnet				
		234:1-19	Acushnet				

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
5-11-07	Kennedy (cont)	237:15-24	Acushnet	408			
		238:1-7	Acushnet	402; 403; 408; 106			
		241:13-24	Acushnet				
		242:1-24	Acushnet				
		243:1	Acushnet				
		243:5	Acushnet				
		243:13-21	Acushnet				
		245:6-24	Acushnet				
		246:1-8	Acushnet	611; 402; 403; 602			
		246:11	Acushnet	611; 402; 403; 602			
		247:23-24	Acushnet	611; 402; 403; 602			
		248:1	Acushnet	611; 402; 403; 602			
		248:3	Acushnet	611; 402; 403; 602			
			Acushnet				
5-18-07	Steve Ogg	7:1-14	Acushnet		21:19-22:6	Callaway	
		9:4-22	Acushnet		30:22-31:7	Callaway	
		10:1-22	Acushnet		32:7-33:2	Callaway	
		11:1-2	Acushnet		36:22-37:6	Callaway	
		11:11-22	Acushnet		37:20-38:4	Callaway	
		12:1-22	Acushnet		38:8-22	Callaway	
		13:1-22	Acushnet		44:1-18	Callaway	
		14:1-22	Acushnet		47:5-48:3	Callaway	
		15:1-22	Acushnet		50:19-51:3	Callaway	
		16:1-22	Acushnet		54:17-22	Callaway	
		17:1-3	Acushnet		55:5-10	Callaway	
		17:17-22	Acushnet		60:3-8	Callaway	
		18:1-3	Acushnet		68:9-12	Callaway	
		18:6-9	Acushnet		69:17-71:5	Callaway	
		27:6-8	Acushnet		74:2-19	Callaway	
		27:10-22	Acushnet		78:16-20	Callaway	
		28:1-22	Acushnet		87:15-22	Callaway	
		29:1-22	Acushnet		90:10-13	Callaway	
		30:1-17	Acushnet		94:17-19	Callaway	
		31:12-21	Acushnet		95:6-11	Callaway	
		33:3-22	Acushnet		102:10-103:11	Callaway	
		34:1-22	Acushnet		104:16-19	Callaway	
		35:1-22	Acushnet		104:22-105:3	Callaway	
		36:1-19	Acushnet		108:7-15	Callaway	
		37:7-19	Acushnet		120:3-121:12	Callaway	
		38:5-7	Acushnet		121:21	Callaway	
		40:20-22	Acushnet		123:15-18	Callaway	
		41:1-22	Acushnet		126:2-127:3	Callaway	

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER-DESIGNATION	SPONSOR	OBJECT-ION
5-18-07	Ogg (cont)	42:1-22	Acushnet		129:15-16	Callaway	
		43:1-5	Acushnet		131:3-11	Callaway	
		43:8-22	Acushnet		133:2-10	Callaway	
		44:3-15	Acushnet		133:21-134:2	Callaway	
		44:19-22	Acushnet		137:4-6	Callaway	
		45:1-22	Acushnet		139:12-14	Callaway	
		46:1-22	Acushnet		141:11-22	Callaway	
		47:1-4	Acushnet		143:1-3	Callaway	
		48:5-22	Acushnet		149:3-12	Callaway	
		49:1-10	Acushnet		149:18-21	Callaway	
		49:18-22	Acushnet		152:11-19	Callaway	
		50:1-11	Acushnet		156:5-6	Callaway	
		51:4-22	Acushnet		159:18-21	Callaway	
		52:1-22	Acushnet		162:3-19	Callaway	
		53:1-22	Acushnet		163:7-8	Callaway	
		54:1-5	Acushnet		166:13-19	Callaway	
		55:1-4	Acushnet		167:10-15	Callaway	
		55:11-22	Acushnet		168:3-11	Callaway	
		56:1-22	Acushnet		171:18-172:1	Callaway	
		57:1-9	Acushnet		172:6-15	Callaway	
		57:16-22	Acushnet		172:19-173:9	Callaway	
		58:1-8	Acushnet		178:21-179:2	Callaway	
		58:12-22	Acushnet		179:4-7	Callaway	
		59:1-2	Acushnet		179:9-180:2	Callaway	
		59:20-22	Acushnet				
		60:1-2	Acushnet				
		60:22	Acushnet				
		61:1-22	Acushnet				
		62:1-22	Acushnet				
		63:1-19	Acushnet				
		64:11-22	Acushnet				
		65:1-22	Acushnet				
		66:1-9	Acushnet				
		66:12-22	Acushnet				
		67:1-22	Acushnet				
		68:1-8	Acushnet				
		68:13-22	Acushnet				
		69:1-6	Acushnet				
		69:10-15	Acushnet				
		71:6-22	Acushnet				
		72:1-7	Acushnet				
		72:12-22	Acushnet	602			
		73:1-22	Acushnet	602			
		74:1	Acushnet	602; 106			
		74:20-22	Acushnet				
		75:1	Acushnet				
		75:7-22	Acushnet				
		76:1-14	Acushnet				

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
5-18-07	Ogg (cont)	77:2-16	Acushnet				
		78:21-22	Acushnet				
		79:1-19	Acushnet				
		80:1-22	Acushnet	602; 402; 403			
		81:1-7	Acushnet	602; 402; 403			
		82:1-22	Acushnet				
		83:1-22	Acushnet				
		84:1-19	Acushnet	611			
		84:21-22	Acushnet	611			
		85:1-14	Acushnet				
		85:18-22	Acushnet				
		86:1-21	Acushnet				
		87:3-4	Acushnet	106			
		87:3-22	Acushnet	106			
		88:1-15	Acushnet				
		89:14-22	Acushnet				
		90:1	Acushnet	611; 602			
		90:3-9	Acushnet	611; 602			
		91:2-22	Acushnet				
		92:1-22	Acushnet				
		93:1-22	Acushnet				
		94:1-2	Acushnet				
		94:9-16	Acushnet				
		95:16-22	Acushnet				
		96:1-22	Acushnet				
		97:1-22	Acushnet				
		98:1-22	Acushnet				
		99:1-22	Acushnet				
		100:1-22	Acushnet				
		101:1-22	Acushnet				
		102:1-6	Acushnet				
		103:12-22	Acushnet				
		104:1-15	Acushnet				
		105:20-22	Acushnet				
		106:1-22	Acushnet				
		107:1-20	Acushnet				
		110:9-22	Acushnet				
		111:1-10	Acushnet				
		112:1-13	Acushnet				
		113:17-21	Acushnet				
		114:14:22	Acushnet				
		115:1-22	Acushnet				
		116:1-7	Acushnet				
		121:18-20	Acushnet				
		122:5-22	Acushnet	802; 611			
		123:1-14	Acushnet	611			
		123:19-22	Acushnet	611			
		124:1-6	Acushnet	611			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
5-18-07	Ogg (cont)	124:11-19	Acushnet	602			
		125:9-19	Acushnet	602			
		126:4-8	Acushnet				
		126:11-14	Acushnet				
		126:17-21	Acushnet				
		129:6-11	Acushnet				
		129:17-22	Acushnet				
		130:1-22	Acushnet	602			
		131:1-2	Acushnet	602			
		131:12-22	Acushnet				
		132:1	Acushnet				
		132:9-12	Acushnet	611			
		132:16	Acushnet	611; 602			
		133:19-20	Acushnet				
		134:3-18	Acushnet				
		137:2-3	Acushnet				
		137:7-11	Acushnet				
		138:2-11	Acushnet				
		139:10-11	Acushnet				
		139:15-17	Acushnet	602; 802; 403			
		139:22	Acushnet	602; 802; 403			
		140:1-22	Acushnet	602; 802; 403			
		141:1-10	Acushnet	602; 802; 403			
		142:5-11	Acushnet	602; 403			
		144:8-10	Acushnet				
		144:12-22	Acushnet				
		145:1-22	Acushnet				
		146:1-22	Acushnet				
		147:1-22	Acushnet				
		148:1-2	Acushnet	602; 611; 403			
		148:18-22	Acushnet	602; 611; 403			
		149:1-2	Acushnet	602; 611; 403			
		149:16-17	Acushnet	602; 403			
		149:22	Acushnet	602; 403			
		150:1-5	Acushnet				
		150:21-22	Acushnet				
		151:1-21	Acushnet				
		152:9-10	Acushnet				
		152:20-22	Acushnet				
		153:1-3	Acushnet				
		153:19-22	Acushnet				
		154:1-19	Acushnet				
		155:13-22	Acushnet	602; 403			
		156:1-4	Acushnet	602; 403			
		156:7-10	Acushnet				
		156:21-22	Acushnet				
		157:1	Acushnet				
		159:15-17	Acushnet	602; 408; 403			

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
5-18-07	Ogg (cont)	159:22	Acushnet	602; 408; 403			
		160:1-22	Acushnet	602; 408; 403			
		161:1-7	Acushnet	602; 408; 403			
		163:4-6	Acushnet	602; 403			
		163:9-12	Acushnet				
		163:20-22	Acushnet				
		164:1-6	Acushnet				
		166:1-12	Acushnet				
		167:2-5	Acushnet	602; 403			
		167:16-22	Acushnet	602; 403			
		168:1-2	Acushnet	602; 403			
		168:12-22	Acushnet	602; 403			
		169:1-8	Acushnet				
		170:1-15	Acushnet				
		174:15-22	Acushnet				
		175:1-5	Acushnet				
10-25-07	James R. Proudfit	6:4-9	Acushnet				
		8:25	Acushnet				
		9:1-23	Acushnet				
		11:4-6	Acushnet				
		11:8-25	Acushnet				
		12:1-19	Acushnet				
		13:5-8	Acushnet				
		13:13-15	Acushnet				
		14:7-15	Acushnet				
		16:12-23	Acushnet				
		21:10-25	Acushnet				
		22:1-25	Acushnet				
		23:1-25	Acushnet				
		24:1-11	Acushnet				
		25:6-16	Acushnet				
		31:21-24	Acushnet				
		32:3-23	Acushnet				
		41:19-25	Acushnet				
		42:1-11	Acushnet				
		44:3-23	Acushnet				
		48:11-24	Acushnet				
		50:7-25	Acushnet				
		51:1-24	Acushnet				
10-17-07	R. James Galipeau	6:13-16	Acushnet				
		7:17-25	Acushnet				
		8:1-5	Acushnet				
		9:18-25	Acushnet				
		10:1-25	Acushnet				
		11:1-6	Acushnet				

DATE	DEPONENT	DESIGNATION	SPONSOR	OBJECTION	COUNTER- DESIGNATION	SPONSOR	OBJECT- ION
10-17-07	Galipeau (cont)	11:17-25	Acushnet				
		12:1-15	Acushnet				
		13:1-3	Acushnet				
		13:5-16	Acushnet				
		14:16-25	Acushnet				
		15:1-10	Acushnet				
		15:25	Acushnet				
		16:1-12	Acushnet				
		16:23-25	Acushnet				
		17:1-5	Acushnet				
		17:25	Acushnet				
		18:1-23	Acushnet				
		19:12-25	Acushnet				
		21:19-25	Acushnet				
		22:1-20	Acushnet				
		24:24-25	Acushnet				
		25:1-20	Acushnet				
		26:2-15	Acushnet				
		27:7-25	Acushnet				
		28:1-25	Acushnet				
		29:1	Acushnet				
		29:17-25	Acushnet				
		30:1-25	Acushnet				
		31:1-6	Acushnet				
		34:2-25	Acushnet				
		35:1-14	Acushnet				
		36:18-25	Acushnet				
		37:1-25	Acushnet				
		38:1-10	Acushnet				
	Phil Mickelson	To be provided by Acushnet upon receipt of the final transcript	Acushnet				
	Greg Norman	To be provided by Acushnet upon receipt of the final transcript	Acushnet				

Exhibit 11

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CALLAWAY GOLF COMPANY,

Plaintiff,

v.

ACUSHNET COMPANY,

Defendant.

C. A. No. 06-91 (SLR)

EXHIBIT 11

STATEMENT OF WHAT PLAINTIFF INTENDS TO PROVE

Callaway Golf respectfully submits the following list of what it intends to prove at trial in the above-titled action. In addition to the items identified below, Callaway Golf intends to prove the matters identified in its Complaint, in its interrogatory responses, and in the expert reports and rebuttal reports of its expert witnesses. Callaway Golf also intends to offer proof on the issues of fact and issues of law identified by the parties in this Joint Pre-Trial Order.

I. INFRINGEMENT

1. Callaway Golf will prove by a preponderance of the evidence that Acushnet has infringed at least one of claims 1, 2, 4, and 5 of United States Patent No. 6,210,293.
2. Callaway Golf will prove by a preponderance of the evidence that Acushnet has infringed at least one of claims 1-11 of United States Patent No. 6,503,156.
3. Callaway Golf will prove by a preponderance of the evidence that Acushnet has infringed at least one of claims 1, 2, 4, and 5 of United States Patent No. 6,506,130.
4. Callaway Golf will prove by a preponderance of the evidence that Acushnet has infringed at least one of claims 1 and 3 of United States Patent No. 6,595,873.
5. Callaway Golf will prove by clear and convincing evidence that Acushnet's infringement of United States Patent No. 6,210,293 has been willful.
6. Callaway Golf will prove by clear and convincing evidence that Acushnet's infringement of United States Patent No. 6,503,156 has been willful.
7. Callaway Golf will prove by clear and convincing evidence that Acushnet's infringement of United States Patent No. 6,506,130 has been willful.
8. Callaway Golf will prove by clear and convincing evidence that Acushnet's infringement of United States Patent No. 6,595,873 has been willful.

II. BREACH OF CONTRACT

1. Callaway Golf will prove by a preponderance of the evidence that Acushnet has breached the 1996 Settlement Agreement.

III. DAMAGES

1. Callaway Golf will show entitlement to, and will specifically prove the amount of, damages in the form of lost profits that it is entitled to recover as a result of Acushnet's infringement of the patents-in-suit through November 30, 2007.
2. Callaway Golf will show entitlement to, and will specifically prove the amount of, damages in the form of a reasonable royalty that it is entitled to recover as a result of Acushnet's infringement of the patents-in-suit through November 30, 2007.
3. Callaway Golf will show entitlement to, and specifically seeks, damages in the form of lost profits that it is entitled to recover as a result of Acushnet's infringement of the patents-in-suit from December 1, 2007

through such time as Acushnet Company is enjoined from further infringement. To that end, Callaway Golf will seek an accounting to determine such damages for the period from December 1, 2007 through the time the injunction issues.

4. Callaway Golf will show entitlement to, and specifically seeks, damages in the form of a reasonable royalty that it is entitled to recover as a result of Acushnet's infringement of the patents-in-suit from December 1, 2007 through such time as Acushnet is enjoined from further infringement. To that end, Callaway Golf will seek an accounting to determine such damages for the period from December 1, 2007 through the time the injunction issues.

IV. OTHER

1. Callaway Golf will establish its right to have the damages caused by Acushnet's infringement trebled or otherwise enhanced due to Acushnet's willful infringement.
2. Callaway Golf will establish its right to prejudgment interest on account of the damages caused by Acushnet.
3. Callaway Golf will establish that this is an exceptional case within the meaning of 35 U.S.C. § 285 such that it is entitled to its attorneys' fees and costs from Acushnet, as this Court permits.
4. Callaway Golf will establish its right to a permanent injunction restraining Acushnet Company from any further acts of infringement of the patents-in-suit.

Exhibit 12

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CALLAWAY GOLF COMPANY,

Plaintiff,

v.

ACUSHNET COMPANY,

Defendant.

C. A. No. 06-91 (SLR)

EXHIBIT 12

DEFENDANT ACUSHNET'S STATEMENT OF INTENDED PROOF

Defendant Acushnet Company ("Acushnet") hereby submits its statement of what it intends to prove at trial. In the following summary, Acushnet sets forth the main themes and points it intends to prove at trial. However, the list is not exhaustive and, in addition to what is set out, Acushnet reserves the right to prove any matters identified in its Answer to Callaway's Amended Complaint, in its interrogatory responses, and in the expert reports and rebuttal reports of its expert witnesses. Acushnet also intends to offer proof on the issues of fact and issues of law identified by the parties in this Joint Pre-Trial Order. Acushnet will also seek to disprove certain matters raised in Callaway's summary of issues.

I. INTRODUCTION

A. Acushnet Company.

For over 50 years, Acushnet Company has been the leading manufacturer of golf balls in the United States and the world. For over 40 years, Acushnet's *Titleist* brand of golf balls have been the "No. 1 Ball in Golf," which means that more professionals play the Titleist brand than any other brand of ball on professional tour events.

Acushnet's current product offering in the tour played ball category is a family of balls called the Titleist Pro V1. The balls at issue are known as the Pro V1 and the Pro V1x (a dual core version of the Pro V1). The Court may also hear reference to a "Pro V1*," pronounced "Pro V1 *STAR*" which was an earlier version of a ball similar in construction to the Pro V1x.

The Pro V1 family of balls, like the other Titleist balls before it, has garnered great success among professional players, highly-skilled amateurs, and other golfers who have an interest in playing the ball that the pros play. The evidence will show that the reasons for this are many, including the fact that it is a high quality product and that it benefits from the *Titleist* brand name and associated cache of quality, as well as the fact that Titleist products are marketed well, have excellent quality control, and are accepted in the market as top quality products.

Acushnet designed and developed the Pro V1 balls itself. It developed the urethane cover used on the balls as early as 1993, and used it on the prior art Professional ball. Acushnet began applying urethane to multi-layer, solid construction balls in 1996. Acushnet has over 50 patents of its own that cover one or more of the Pro V1 balls or the methods of making them. The Pro V1 was not copied from the patents in suit, none of which even issued until after Acushnet had released the Pro V1.

B. The Claims at Issue.

The claims at issue in the patents in suit are as follows:

- claims 1, 2, 4, and 5, of United States Patent No. 6,210,293
- claims 1-11 of United States Patent No. 6,503,156
- claims 1 and 3 of United States Patent No. 6,595,873; and
- claims 1, 2, 4, and 5 of United States Patent No. 6,506,130.

These claims are hereafter referred to as the "claims at issue."

II. INVALIDITY OF CALLAWAY'S PATENTS-IN-SUIT

A. Obviousness

1. Acushnet will prove by clear and convincing evidence that the claims at issue are invalid under 35 U.S.C. § 103. Acushnet may rely on some or all of the following combinations of prior art references:
 - U.S. Patent No. 5,314,187 to Proudfit in view of U.S. Patent No. 4,674,751 to Molitor
 - U.S. Patent No. 5,314,187 to Proudfit in view of U.S. Patent No. 5,334,673 to Wu
 - U.S. Patent No. 5,314,187 to Proudfit in view of U.S. Patent No. 4,274,637 to Molitor
 - U.S. Patent No. 4,431,193 to Nesbitt in view of U.S. Patent No. 4,674,751 to Molitor
 - U.S. Patent No. 4,431,193 to Nesbitt in view of U.S. Patent No. 5,334,673 to Wu
 - U.S. Patent No. 4,431,193 to Nesbitt in view of U.S. Patent No. 4,274,637 to Molitor
 - The Wilson Ultra Tour Balata Golf Ball in view of in view of U.S. Patent No. 4,674,751 to Molitor
 - The Wilson Ultra Tour Balata Golf Ball in view of in view of U.S. Patent No. 5,334,673 to Wu
 - The Wilson Ultra Tour Balata Golf Ball in view of the Titleist Professional Golf Ball
 - The Wilson Ultra Tour Balata Golf Ball in view of the Titleist Professional 2P Golf Ball
 - Other art identified by Acushnet in its discovery responses
2. Acushnet will establish the scope and content of the prior art and the differences, if any, between the prior art and the asserted claims.
3. Acushnet will demonstrate convincingly that it was well within the ordinary skill in the art to make a three-piece construction golf ball with a urethane outer layer by 1995. Acushnet will show that the use of polyurethane as a cover material on golf balls was notoriously well-known for decades, and that the use and benefits of a three-piece construction golf ball were also well-known by 1995. Acushnet will show that at this time a

person of ordinary skill in the art would have been motivated to combine the teachings of the prior art in the manner claimed by the patents-in-suit. For example, Acushnet will show that the Molitor '751 patent contains an express teaching to put a urethane cover onto a three-piece solid construction ball, such as the balls disclosed in the Nesbitt or Proudfit patents or the Wilson Ultra Tour Balata ball. Many other examples of such motivations to combine the use of polyurethane on a three-piece construction golf ball (such as, for example, the teaching in the Wu patent to use polyurethane as a cover material for solid balls) also existed in the art by 1995.

4. Acushnet will also convincingly rebut Callaway's attempt to save the patents in suit from invalidity by relying on the commercial success of the Pro V1. Acushnet will show that the Pro V1 is covered by scores of its own patents and other technology, which makes the process of ascribing commercial success to any one or more of the patents in suit highly speculative. Acushnet will also show that many factors unrelated to the patents in suit are responsible for the success of the Pro V1, a showing Callaway will be unable to dispute or rebut.

B. Anticipation

1. Acushnet may prove by clear and convincing evidence that the claims at issue are invalid because they are anticipated under 35 U.S.C. § 102 by U.S. Patent No. 4,431,193 to Nesbitt. This proof depends on a ruling that the Nesbitt '193 patent incorporates by reference the Molitor '637 patent, an issue of law presently before the Court.
2. Acushnet will prove by clear and convincing evidence that claims 1 and 2 of U.S. Patent No. 6,506,130 are also invalid as anticipated under 35 U.S.C. § 102 in light of at least U.S. Patent No. 5,314,187 to Proudfit and the Wilson Ultra Tour Balata Golf Ball.

III. LACHES

1. Acushnet will show that Callaway and Spalding delayed filing suit for an unreasonable and inexcusable length of time and its delay operated to the prejudice or injury of Acushnet.

IV. NON-INFRINGEMENT

1. Callaway has failed to meet its burden of proof that the claims at issue are infringed by any of the accused products. Callaway has also failed to meet its burden of proof that all of the accused products are infringed by one or more of the claims at issue.

V. BREACH OF CONTRACT

1. Callaway has failed to prove by a preponderance of the evidence that Acushnet breached the 1996 Settlement Agreement. Specifically, Callaway has failed to prove: (a) that it has enforceable rights under the 1996 Agreement; (b) that the 1996 Agreement prohibits either party from filing reexaminations as to any patent; and (c) that it has suffered any damages from any alleged breach of the 1996 Agreement.

2. To the extent the 1996 Settlement Agreement prohibits either party from filing reexaminations, Acushnet intends to show that the Agreement would be void as contrary to public policy.

VI. DAMAGES

1. Even if Callaway could prove that Acushnet has infringed any valid claim of the patents in suit, the most likely result of the hypothetical negotiation between Callaway and Acushnet with respect to the patents in suit would have been a non-exclusive license involving a lump-sum royalty payment by Acushnet of \$10,000,000 at or about the time leading up to April 2001. This is proven by the fact that both Callaway and Spalding testified that this is the amount they would have taken for a license at the time the infringement began. Acushnet will therefore prove that if Callaway is entitled to any damages on its patent infringement counts, that damages award should be no more than \$10,000,000.
2. Also, Callaway's damages claim of \$115,157,629 in allegedly lost profits it would have made had Acushnet not been selling the Pro V1 golf balls from September 16, 2003 through December 31, 2006 (which, when combined with an alleged residual reasonable royalty added to its lost profit claim, totals \$189,637,504 in claimed damages through December 31, 2006) is speculative, grossly inflated and unsupported. Callaway's alternative damages claim based on an alleged reasonable royalty of \$111,814,638, as well as its alleged claim to reasonable royalties not subject to its lost profits analysis, both of which are generated by applying an 8% reasonable royalty to Acushnet's worldwide dollar sales of allegedly infringing balls, is also grossly inflated and unsupported. Thus, Callaway cannot prove by a preponderance of the evidence that it is entitled to its alleged lost profits damages or to its damages based on an alleged reasonable royalty. In particular, Mr. Napper's opinions are speculative, unreliable, not economically sound, do not properly reconstruct the golf ball market absent alleged infringement, apply the wrong analysis for this industry and are otherwise pure guesswork.
3. As to breach of contract damages, even if Callaway can prove that Acushnet breached the 1996 Settlement Agreement with Spalding, Callaway cannot prove by a preponderance of the evidence that it is entitled to any damages for this alleged breach. Moreover, Acushnet has been prejudiced to respond to Callaway's breach of contract damages claim, and its claim for damages should therefore be precluded, because Callaway has never disclosed in discovery (through Rule 26 disclosures, in response to 30(b)(6) deposition topics, or otherwise) that it has suffered any amount of damages by reason of any breach of contract or produced any related documents.

Exhibit 13

Exhibit 13**Callaway Golf's Preliminary List of Motions In Limine that it Intends to Raise**

- Rider/Arturi and Callaway Golf/Acushnet 408 correspondence
 - The “Rider/Arturi correspondence” refers to communications between Peter Arturi of Spalding and Michael Rider of Callaway Golf in mid-2002, much of which is marked with “subject to FRE 408,” discussing settlement of disputed claims relating to the alleged infringement and invalidity of various patents, including of the '293 patent-in-suit. The “Callaway Golf/Acushnet correspondence” refers to communications between representatives of Callaway Golf (including Michael Catania) and of Acushnet (including Troy Lester) in late 2000 and early 2001 similarly discussing disputed claims relating to the alleged infringement and invalidity of various patents. Therefore, the Court should exclude, per FRE 408, documents and testimony regarding all communications, discussions, strategies and/or thoughts concerning the settlement of these disputes and what the parties might have accepted to settle these disputes.
- Reference to/evidence of re-exams
 - Evidence relating to the pending re-examination of the patents-in-suit before the USPTO is not relevant to any claim or defense in this action and raises substantial risks of confusing the issues and misleading the jury and should, therefore, be barred by FRE 402 and 403.
- Ex Parte Sullivan decision
 - The USPTO's *Ex Parte Sullivan* decision relating to App. No. 09/873,594 (Appeal No. 2004-0242, mailed Jan. 30, 2004) is not relevant to any claim or defense in this action, and raises substantial risks of confusing the issues and misleading the jury and should, therefore, be barred under FRE 402 and 403.
- Reference to inequitable conduct claims
 - Acushnet's defense that the prosecuting attorney committed inequitable conduct before the USPTO during prosecution of Application No. 08/870,585 is a matter of law and equity for the judge alone, not an issue for the jury to decide. Moreover, Acushnet's allegations do not overlap with its validity defenses. Therefore, consistent with the Court's standard practice, any reference to Acushnet's claims of alleged inequitable conduct should be barred under FRE 402 and 403.
- Acushnet's arguments re composition of the core
 - During the October 18, 2006 discovery status conference, Acushnet told the Court that composition of the golf ball core was not relevant to the present dispute. Acushnet refused to produce any documents relating to the core. Acushnet is barred from now raising core-related arguments, after affirmatively representing to the Court that these arguments are irrelevant and it would not make them, and after refusing to disclose and/or produce relevant documents in response to Callaway Golf's discovery requests.
- Hybrid “prior art” golf ball
 - The golf balls specially created by William MacKnight pursuant to his expert report are not authentic and accurate recreations of *any* prior art golf ball. These customized balls are not relevant to any claim or defense in this action and their introduction would raise substantial risks of confusing the issues and misleading the jury and should, therefore, be barred by FRE 402 and 403.

- Any reference to “opinions” obtained from John Allcock or DLA Piper (fka “Gray Cary”)
 - Acushnet failed to disclose the existence of any legal opinions received from John Allcock, Esq. and/or from his firm DLA Piper (FKA Gray Cary) in their responses to Callaway Golf’s discovery requests. Acushnet is therefore barred from introducing any evidence referring or relating to any such opinions.

Exhibit 14

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CALLAWAY GOLF COMPANY,

Plaintiff,

v.

ACUSHNET COMPANY,

Defendant.

C. A. No. 06-91 (SLR)

EXHIBIT 14

ACUSHNET'S MOTION IN LIMINE TOPICS

Acushnet reserves the right to supplement this list in light of any future developments and rulings by the Court. Subject to this reservation, Acushnet identifies the following topics:

1. To exclude all evidence sought to be excluded by Acushnet's pending Daubert motions.

The grounds for this motion are laid out in Acushnet's Daubert motions.

2. To preclude any evidence or testimony regarding the Hebert patents and their prosecution histories as evidence of validity, novelty, or non-obviousness of the patents-in-suit.

This is excludable under FRE 402 & 403 because these patents have different file histories, specifications, and claim limitations than the patents-in-suit and their validity is thus irrelevant to the validity of the patents-in-suit, and is liable to confuse the jury.

3. To exclude assertions by Acushnet in the Hebert patent negotiations with Callaway that Nesbitt does not incorporate Molitor '637 by reference.

These assertions relate only to the legal question of incorporation by reference, which is for the Court to decide as a legal issue, *see Zenon Env., Inc. v. U.S. Filter Corp.*, – F.3d –, 2007 WL 3275025 (No. 06-1266, Fed. Cir. Nov. 7, 2007), and not for the jury.

4. To exclude any testimony of Nesbitt concerning whether the Nesbitt patent incorporates by reference the Molitor '637 patent, and any interpretation of the Molitor '637 patent.

These are issues of law, not fact. Also Nesbitt testified that he had not read Molitor '637. Nesbitt's view of what the '637 suggested to one of ordinary skill was also impermissibly focused on his knowledge of Molitor's work, as opposed to Molitor's patent.

5. To exclude any evidence of an alleged "failure" by Mr. Nesbitt to make a three piece polyurethane-covered three ball.

Mr. Nesbitt's alleged failure is so remote in time and different in specifics from the patents-in-suit, that it simply is not probative of any issue in the case.¹ Further, as this "failure" is not related to the limitations claimed in the patents-in-suit, it is not probative of the nonobviousness of those claims.²

6. To exclude purported "praise" evidence from news articles and statements by professional golfers

This purported praise is not probative of nonobviousness, as it does not demonstrate that the claimed invention was praiseworthy vis-à-vis the closest prior art (e.g., the Nesbitt and Proudfit patents), but merely in relation to other commercialized balls.³ Also, it is not praise from contemporaries skilled in the invention, thus irrelevant on that basis too.⁴

7. To exclude any reference to Mr. Sullivan as a "prolific" inventor, or evidence of the number of patents for which he is a named inventor.

This is irrelevant to the validity of the patents-in-suit, and has so little probative value as to be outweighed by its prejudicial value because the jury might consider the fact that Mr. Sullivan has many patents as somehow indicative of the validity of the patents-in-suit.

8. To exclude Phil Mickelson and Greg Norman from testifying at trial.

These witnesses were late disclosed, can only provide anecdotal "praise" evidence that does not evaluate the accused products against the closest prior art, and would provide expert testimony in the guise of fact witnesses, where no expert report was served.

9. To exclude Dr. Risen from testifying or offering opinions relating to commercial success.

Dr. Risen has no experience in the golf ball industry, and hence has no basis to render an opinion on what causes a golf ball to be commercially successful.

¹ See, e.g., *Graham v. John Deere Co.*, 383 U.S. 1, 36 (1966).

² See, e.g., *Ormco Corp. v. Align Techs.*, 463 F.3d 1299, 1313 (Fed. Cir. 2006).

³ See, e.g., *Craig v. Foldfast, Inc.*, 504 F. Supp. 2d 1313 (S.D. Fla. 2007).

⁴ See, e.g., *Vulcan Engineering Co. v. Fata Aluminium, Inc.*, 278 F.3d 1366 (Fed. Cir. 2002).

10. To preclude a claim for lost profits.

11. To preclude a claim for lost profits based on lost profits of corporate entities other than the owner of the patents-in-suit and to limit lost profits to only those of the owner of the patents-in-suit.

Callaway has failed to produce documents detailing agreements between it and its subsidiaries, preventing Acushnet from demonstrating that Callaway is ineligible for the lost profits damages it claims. As a matter of law, Callaway cannot claim lost profits of its subsidiaries, but appears to be attempting to do so. Also, Acushnet reiterates the arguments of its Daubert motion directed to exclusion of the opinions of Mr. Napper.

12. To preclude any testimony of Mr. Napper regarding the Acushnet / Dunlop settlement agreement.

Callaway was fully aware of this agreement, through production of it well before Mr. Napper's report, yet chose not to advise of Mr. Napper's reliance on this agreement until the service of a supplemental report just last week, well after the close of discovery.

13. To exclude from evidence the 2007 Bridgestone / Acushnet litigation settlement, including any testimony regarding the settlement agreement or any reliance on that agreement as a basis for damages.

As a litigation settlement occurring two weeks before trial, this agreement is of scant, if any, probative value on damages, and would be prejudicial in any case to introduce.

14. To exclude from evidence the 2007 Bridgestone / Callaway license, including any testimony regarding the settlement agreement or any reliance on that agreement as a basis for damages.

Callaway was required to produce this license months ago, failed to produce documents relating to the negotiation of this license, yet seeks now to rely on statements in the license as to why certain contingent royalties allegedly were agreed to by Bridgestone and Callaway.